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PROPERTY RIGHTS UNDER THE NEW MEXICAN CONSTITUTION

THOSE who sympathize with the revolution in Mexico all agree that among its chief objects were (1) the creation of a class of land-owning small farmers, and (2) the correction of a system under which, it is claimed, the land and natural resources of the country, to the injury of the native population, were falling into the hands of a few favored individuals, in many cases absentee foreigners. The attempt to bring about these reforms, with their necessary effect on vested rights, is certain to cause discontent. The task is complicated in the case of Mexico, furthermore, by two facts: first, the ownership of lands and concessions by foreigners, chiefly American and British, either directly or as stockholders in Mexican corporations or in foreign corporations authorized to hold property in Mexico; and second, the success of the Roman Catholic church, despite the prohibitions in the constitution of 1857, in getting control of great properties, as it is claimed, through interposed persons, either priests or laymen, and through commercial corporations,[1] bound at least morally to pass on the ownership to persons devoted to the church, and to pay the income to ecclesiastical authorities. The makers of the new Mexican constitution have embodied in Article 27 the outline of their solution of these difficulties, leaving to the congress and the state legislatures the task of filling in details. This article, therefore, interests Americans probably more than any other in the constitution, both practically, as a possible

[1] Luis Cabrera, The Religious question in Mexico, pages 7, 8.

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source of international dispute or as a matter of personal interest, and theoretically, as a study in social reform. From the point of view of drafting, both in clearness of expression and in organization of material, Article 27 leaves much to be desired; but the main points of the system there laid down are evident.

The points covered may be grouped under four heads: First, state or national control of property rights; second, the protection of individual property; third, land ownership; and fourth, concessions.

I. *State or National Control of Property Rights*

Article 27 begins with the statement that the property of all lands and waters within the limits of the national territory belongs originally to the nation, which "has held and holds" the right to transfer the dominion of these waters and lands to individuals, thus constituting private property. This principle is contrary to the theory of ultimate ownership in the states which prevails in the United States,[1] and marks clearly the Mexican conception of the nation, not the state, as successor of the feudal overlordship. Federal ownership of public lands in the United States results either from grants by the thirteen original states or from succession by the United States to the rights of the sovereign in territory acquired since the Revolution. Texas, coming into the United States as a state, retained all its public lands. In the constitutions of the western states it is expressly provided that there shall be no interference with the right of the federal government to transfer its public lands to individuals; but once transferred, the conditions of ownership are determined by the law of the state. Much the same condition will in practice probably result from the provisions of Article 121 of the Mexican constitution providing that property, real and personal, shall be regulated by the law of the state in which it is situated, and from the consideration that no power to legislate in regard to real estate in general is given to the federal congress.

[1] New York Constitution I, 10; South Carolina XIV, 3; Wisconsin IX, 3; Shiveley *v.* Bowlby, 152 U. S. 1.

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The federal congress, however, as representative of the nation,[1] may exercise an extensive power of limitation of the use of real property, similar to the so-called police power usually exercised by the state in the United States, so that in Mexico direct influence on land of the central government is clearly far greater than would be possible under our system. This situation brings into relief the theory of a more highly centralized state held in Mexico. From many points of view this police power is properly placed with the national government. In the United States the importance of limitations on the use of property in the national interest has been indirectly acknowledged by purchase of great forest areas to protect navigable, often inter-state streams, and by the whole system of national forests, restricting cutting of timber and devastation by stock in watersheds of national importance. Such action has frequently been taken against bitter opposition by the state in which the forest is situated. The interest to be protected in such a case is national and not local, and not infrequently that interest runs contrary to the desire of the people of the state to exploit to the utmost their own resources.

In Mexico the property in certain minerals and in water in the federal control cannot be transferred from the nation to individuals. Water in the federal control includes perennially flowing streams emptying into the sea[2] crossing two states or forming state or national boundaries, and lakes whose outlets flow into such streams, with their banks and beds. The right to work the mines or to use the water for power or irrigation may be granted as a concession. This is a familiar Mexican rule; but the present constitution makes a noteworthy change by adding a number of minerals to the list of those reserved to the nation. The most important of these are coal, petroleum and natural gas—all by the former mining law expressly declared to be the property of the owner of the soil.[3] This provision seems to be confiscatory; the person formerly the owner of

[1] Art. 73, XXXI.

[2] See Constitution of 1857, Art. 72, XXII; Wheless Compendium, Art. 873.

[3] Wheless Compendium, Art. 879.

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the coal or oil underlying his land is so no more, though its value may have been the most important element in the purchase price. It is to be assumed that the government will take into consideration the claims of such owners in granting concessions to develop the coal or oil which they previously owned.

In the United States, minerals are as a rule the property of the owner of the soil, and rights to the use of water belong to the riparian owner. The state and not the nation has jurisdiction over mines and waters except for the control by the federal government of the public lands and of navigable or international waters. The states are thus limited, so far as control over mines is concerned, to making provision for the safety and health of miners and to preventing waste of oil or gas. In many western states the use of water is, however, the subject of concessions through state law,[1] and in a few cases is expressly declared to be public property.[2] The United States has granted mines and power sites on streams on the public domain as it has granted land, the title passing to the purchaser and the property being then governed by state law. The policy of the government, however, is undergoing a change. The laws creating the forest reserve withdrew large tracts of land from settlement or from possibility of private ownership, and the government now leases the right to graze stock on these tracts and also sells standing timber under contract. Ownership remains in the United States, and the government can determine the conditions of exploitation under these concessions. A similar policy is being developed in regard to water power, through lease by the United States of powers situated on the public domain, and through the right of the United States to prevent the building of dams on, or the taking of water from, navigable or international streams, thus giving to the government a large share in the control of such streams and power development at these dams. The same policy is also proposed for the development of coal, oil and gas on the public lands.

[1] California XIV, 1; Idaho XV, 1–6.

[2] Colorado XVI, 5; North Dakota XVII, 210; Wyoming VIII, 1.

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Instead of granting the lands absolutely to private individuals and thus transferring the control of the development of the minerals to the state—a course which implies absolute ownership by the individual—the government leases the property and provides in the lease for reasonable development.[1]

II. *The Protection of the Property of Individuals*

Constitutional protection of the property of individuals has two branches: limitation on the action of the legislature of the nation or of the state in passing confiscatory statutes, and limitation on the power of the executive to interfere arbitrarily with private rights. As the *individual* rights proclaimed by the Mexican constitution cannot be abridged or suspended[2] and as they are placed under the protection of the federal courts,[3] they are made as safe against action by legislatures or executives as a constitutional provision can make them. The right of the individual to his property as against administrative action and action of other persons is protected by Article 14, which provides that property or rights cannot be taken except by an action before a court in conformity with the essential forms of procedure and by authority of a law, and by Article 4, which prohibits the taking away from a person of the fruits of his labor, except by judicial decision. Article 107 authorizes the issuance by the court of a writ against a public authority who is accused of acting in excess of his power, to compel him to appear and justify his action. This writ must be promptly obeyed, and it thus affords a means of bringing an administrative officer before a judge for decision as to his right to act.

The right of property is protected against the legislature by Article 14, which forbids retroactive legislation, and by Article 27, which prohibits its expropriation, except for public utility and on payment. Article 27 of the constitution of 1857 contained the same provision with the additional requirement, very common in our states, that the payment must precede the taking. The change of language in the new section would make

[1] See H. R. Bill no. 406, 64th Cong., 1st sess.

[2] Art. 1. [3] Arts. 103, 107.

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it appear that payment is no longer a prerequisite to the taking of the property, though it may be made so by statute. The guarantee against legislative action, however, is restricted by the reserved rights in the nation, which must be exercised by congress, to impose limitations on private property in the public interest and to regulate the development of natural resources capable of appropriation, "to equitably distribute the public wealth and to secure its conservation." With this object in view, measures are to be taken to divide large estates, to encourage small farms, to aid agriculture, and to prevent the destruction of natural resources with consequential damage to property and to society. If private property must be taken for any of these purposes, it must be taken under condemnation proceedings as for a public utility; but the words of the constitution do not oblige the payment of damages which may result from legislation limiting the use of property but not taking it. In the United States, limitations on the use of private property in the public interest may be authorized under the police power, that is, the action of the legislature in the interest of the public well-being, which action is usually exercised by the states and not the nation; and by the power of condemnation for a public interest; but our view of a public interest which will justify the taking of private property or the creation of limitations thereon is not so wide as that expressed in Article 27. For instance, it would seem that the Mexican congress may limit the cutting of trees on watersheds to protect the flow of waters, while in the United States we have probably not yet reached the point where such legislation would be upheld under the police power as a limitation on the right of individuals to use their own property as they wished.

Another important difference between the American and Mexican constitutions in this respect is that there is nothing in the Mexican constitution similar to the requirement of the Fifth and Fourteenth Amendments of the United States constitution that property should not be taken except by due process of law. This phrase is held to authorize courts to decide whether the legislature was right in believing a certain interference with property rights to be in the public interest, and it

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therefore constitutes a check on the legislature. The Mexican courts have no such express authority; Article 14 requires only a court proceeding; it does not authorize the court to pass upon the propriety of the law. The Mexican provision is a very different thing from our due-process clause; it constitutes a limitation on the executive, obliging him to act in accordance with the law, rather than a limitation on the legislature, affecting the right to pass the law. The Mexican courts, however, may base on Article 27, authorizing the legislature to limit the use of private property in the public interest, a power in the courts to decide whether a limitation enacted by law is in the public interest; and if they do so, much the same result may be achieved as under our theory of the police power limited by the words "due process of law." By section 107 the courts are prohibited from passing expressly on the validity of a law in general, but they may, by consistently refusing to permit acts under the law, accomplish the same results.

The importance to property owners of the requirement that compensation must be paid for property taken in the public interest is limited by the provisions of paragraph 8 of the article, which fix the price to be paid as compensation at the value of the property on the official tax lists, plus ten per cent. The increase in value caused by improvements subsequent to the date of assessment is to be determined by judicial decision, which is also to be the manner of determining the value of objects not fixed in the tax lists. The wording of this paragraph makes it doubtful whether the "date of assessment" means the date on which the assessment was actually made, or whether the last payment of taxes constitutes an acceptance of the assessment as of that date. Assessments on lands were not frequently changed under the old Diaz régime, so that if the Diaz valuations are taken as at the time of their original assessment, and the increase in value caused by improvements since that time is allowed for, the result will be very different from that reached if the value is taken as fixed at the date of the last payment of taxes, and increase in value from that date only is assumed. As a matter of fact, there has been no opportunity in a large part of Mexico to make any

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careful assessment during the disordered period, at least since the fall of Madero, so that it would seem fair to suspend the operation of this paragraph until a new assessment has been made.

Evidently, then, the constitutional protection of property interests against the legislature by the requirement that they shall not be taken except for public utility and on payment of indemnity is much weakened by the broad police power vested in the congress, and by the paragraph fixing the amount of the indemnity. The full scope of the provision cannot be safely estimated, as different congresses may take different views of what are the limitations necessary in the public interest, and as the courts may assume an important jurisdiction to restrain congress. If the courts do not take such action, the situation would seem to be much the same as would result in the United States if the courts did not exercise any control over the police powers of the legislatures. The serious guarantee will be the intelligence of the electorate, and the character and wisdom of the men who represent it in the congress.

III. *Land Ownership*

The justification of the revolution will depend largely upon its fair and satisfactory settlement of the question of land ownership. The provision of land for the peons is declared to be a principal object of the revolution, and the formation of a land-holding class of small farmers interested in the stability of the national institutions is proclaimed to be the only safeguard for the Mexican republic.

The difficulty which many Latin-American countries have found in dealing with foreigners as property owners, because of the action of foreign governments in support of their citizens, finds active expression in Article 27. Foreigners are not disturbed as foreigners in the ownership of property already held in the republic. By paragraph 7, subdivision 1, of Article 27, foreign corporations or individuals cannot in the future, however, acquire any right to ownership of lands or waters, or any concession for the exploitation of mines, waters or mineral combustibles in the republic. The nation may grant to the indi-

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vidual foreigner the same rights to acquire land or concessions as to the individual Mexican, provided the foreigner agrees with the secretary of foreign relations to consider himself as a Mexican as regards such property and not to invoke the protection of his own government in respect thereto, subject to the penalty of losing to the nation the property that he has so acquired. There was a somewhat similar provision in Article 33 of the old constitution, which provided that foreigners must submit to the "judgment and sentences of the tribunals" without the power to seek other recourses than those which the law grants to Mexicans, and the mining law permits grants of concessions to foreigners only on the express condition that the property "should remain subject to the Mexican laws, and that no right or claim based on foreign citizenship can be urged in respect thereto, and that the tribunals of the republic alone have jurisdiction to decide all questions which may arise in respect to such properties, to the exclusion of all foreign intervention."[1] The former law, however, lacks the sanction of Article 27, the loss of the property, if intervention of a foreign nation is asked. As the nation must act through congress, a law would seem necessary to permit a foreigner to acquire property, even on giving up the protection of his government, and as congress may limit the right in other directions, the exact status of the foreigner as to the future acquisition of land depends on the will of congress.

Foreigners may not be permitted even under this condition to acquire ownership (*dominio directo*) of land or water within a zone of one hundred kilometers (sixty-two and a half miles) from the frontier, or of fifty kilometers from the coast. By the existing statute law no foreigner could acquire real estate or mining rights within a zone of eighty kilometers from the frontiers without a special permit from the executive of the union.[2] The new constitution does not prohibit the granting to foreign individuals of concessions to mine within the forbidden zone, but the existing law in regard to the eighty-kilometer limitation remains in force until changed by congress.

[1] Wheless, Art. 925; Art. 59, Mexican Mining Law. [2] Wheless, Art. 901.

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Foreigners or foreign corporations now owning real estate are not affected in their ownership by these provisions, but a very troublesome question arises in respect to the right of foreigners to take land by inheritance or by will, and also in respect to the right to enforce a debt secured by real estate, or in any case where the debtor has nothing but real estate to satisfy his obligation. In such cases an individual may secure the assent of the authorities to his acquiring the property if it be not in the forbidden zone; but no foreign corporation, and no individual in cases where land is in the forbidden zone, can enforce any rights which involve taking title to real estate. There is nothing, however, to prevent the transfer for the purpose of a debt to a Mexican, or an authorized foreigner if the land be not in the forbidden zone, who could then take proper proceedings and hold property under an agreement to turn over the proceeds of a sale or the annual returns to the real creditors. Where land within the forbidden zone is intended to go to foreign heirs or devisees, the decedent might by will grant to an interposed person[1] as a sort of trustee to hold or sell for the benefit of the devisee. Where no such provision had been made by will, state laws could provide for the appointment by the proper court of a person to hold property for such persons, and for his sale of the property within a limited time. Such legislation might be possible by the federal congress in aid of its treaty power. No legislature in direct contravention of the constitution can grant even a limited right of ownership, but an arrangement for holding by an interposed person would seem well within the scope of ordinary international relations, and if included in a treaty would be "the supreme law of the land."[2] Congress, if the states fail to do so, might then legislate to provide necessary machinery to give effect to the rights guaranteed.

Most of the American states put foreigners upon the same basis as citizens in regard to the ownership of property, and those state constitutions which prohibit the ownership by foreigners of real estate usually except property now owned by foreigners, and also allow them and their heirs to hold property

[1] *Persona interposita.*

[2] Art. 133.

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for a certain length of time in order to make a sale. For example, the constitution of Oklahoma prohibits aliens from owning or acquiring title to land in the state, but requires the legislature to enact laws whereby aliens or their heirs hereafter acquiring real estate shall dispose of it within five years. The section of the constitution furthermore is not applicable to aliens who may become *bona fide* residents of the state, or to lands now owned by aliens in the state.[1]

A minor motive of the revolution in the land question is the determination to do away with the holding of real estate by the church. Paragraph 2 of Article 27 deals with religious associations, which are prohibited from acquiring, possessing or administering real estate or capital secured by real estate. What they hold at present in their own names or through others becomes the property of the nation, and any person may denounce it if in the apparent ownership of an individual. Presumptive proof that it belongs to such an association shall be sufficient to support a judgment of condemnation. Churches destined to public service are the property of the nation represented by the federal government, which shall designate those that are to continue to serve the purposes of religion. All buildings destined for religious purposes pass to the ownership of the nation, to be used exclusively for the public services of the state, and churches built in the future for public service will become the property of the nation. Article 27 of the former constitution expressly prohibited ownership of lands or of capital loaned upon it by religious corporations or institutions, except buildings "immediately and directly destined" to their services or purposes. The new article, then, adopts the old principle, modifying it only by creating a more effective means of enforcement and by extending it to the excepted buildings. Many churches, however, have been taken by the nation since 1859, and have been used on sufferance for religious service, so that this provision extends to all religious edifices a régime already applied in part.[2]

[1] Okla. XXII, 1; See also Cal. I, 17; Wash. II, 33; Miss. IV, 84; Fla. Declaration of Rights 18; Kansas Bill of Rights 17; Colo. II, 27.

[2] Cabrera, *op. cit.*, citing The Reform Law, secs. 14–16.

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Public and private charitable or mutual-aid institutions may acquire, hold and administer capital loaned upon real estate for terms of not over ten years only, and it is expressly provided that such institutions shall not be under the patronage, supervision or administration of religious institutions or of ministers of any cult. They may apparently own real estate of any sort as they might by Article 701 of the civil code and Article 27 of the former constitution. By former Article 27 such institutions could not own real estate or loans made upon it if they were connected with religious corporations or institutions.

The constitution looks with disfavor on even non-religious corporations as land holders. One reason for this is said to be the difficulty of preventing church ownership through private corporations,[1] and another the tendency to monopolize large tracts in their hands.

Section 4 of paragraph 11 of Article 27 prohibits commercial corporations from acquiring, possessing (*poseer*) or administering country lands. Large tracts of land are held in the republic by such corporations for cattle ranches, rubber, coffee or cotton plantations, and recently for colonization purposes. Both foreign corporations which have gone through the formalities required by the Mexican law, and Mexican corporations, hold such properties; but without doubt in regard to foreign and probably also in regard to most Mexican corporations the stockholders are foreigners, chiefly, it is probable, Americans. This article, therefore, will concern chiefly foreigners. It clearly prohibits the holding or administration of country real estate, but it is not clear as to ownership, The word *poseer* is used also in regard to the property of the church in section 2, but is followed there by a special provision that church property shall pass at once into the ownership [*dominio*] of the nation. Section 5 forbids banks to own real property and uses the expression *tener en propriedad*, holding in ownership, not *poseer*. *Tener en propriedad* is also the term used to denote ownership in section 7. *Dominio* means ownership in paragraph 2 and

[1] Cabrera, *op. cit.*, p. 8. Report of V. Carranza to the Constitutional Convention, published by the Latin-American News Company, New York, p. 11.

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in section 1 of the article; it is also used in section 700, civil code. The expression *propriedad* means right of property in paragraph 1 of the article and also in section 697, civil code. It would seem, therefore, a possible construction of section 4 that it does not deprive corporations now owning land of their property rights, but merely prohibits acquisition of such ownership in the future, and obliges them to have the property now owned held and managed by an individual who can be reached more easily by administrative or court process. This interpretation of the word *poseer* fits into the language of section A in the next to the last paragraph of the article, where corporations legally constituted are treated as owning [*ser dueño*] country land in large estates.

If this be not so, and the article is a prohibition of ownership, it is noteworthy that there is no express transfer of the property to the state as in the case of church lands. If the stockholders are Mexicans, then, it would seem that they would become owners of the property with power to manage it as they please; so they can, by means of an agreement, continue to operate practically as before. If, however, the stockholders be foreigners, the situation is different, for foreigners cannot acquire ownership in lands except on expressly abandoning the protection of their own government. If the property is in the frontier and coastal forbidden zone they can in no case become owners. Legislation is necessary to clear up this condition and at least to provide as to the forbidden zones for a receivership during a limited period for these properties. If pressed for sale under present conditions they will, of course, bring little or nothing, and the result will be practical if not technical confiscation. Such action would open up a great opportunity for a speculation which would not benefit Mexico either materially or morally.

Commercial corporations created for manufacturing, mining, oil development and any other non-agricultural purpose, may acquire, possess or administer as much land as is strictly necessary for their purposes in an amount fixed by the executive of the union or of the states, in each case. Oil companies which have purchased tracts of land in order to hold the oil right

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under them will therefore lose their oil rights by the operation of the nationalization of the oil, and will lose the real estate as farm property by the operation of this paragraph, subject to the criticism of the provision in regard to ownership. Corporations formed to own or develop city property may continue their operations if the public authority permits.

The problem of peon ownership is not like that of the ownership of American farmers in the western states. Settlements of the peons, the Mexican peasants, are like their European prototypes, in villages, each with its common fields, with water for irrigation and household use, with pasture for cattle, and in the wooded country with common forests. The peon and the Indian do not live on isolated farms. They are community dwellers, and if peon ownership is to be built up, it must be developed in the way to which the peon is accustomed. Furthermore, small farming in much of Mexico depends upon irrigation, which makes isolated small farms impossible. Colonies or villages may be formed along streams where there is good land, or where water can be brought from large streams or lakes to bodies of rich land. On this system the new agrarian law of the Mexican state of Yucatan has proceeded, restoring to the existing communities their original land where it has been taken from them illegally, enlarging their community property where necessary by condemning parts of neighboring estates, first uncultivated then cultivated land, planting new communities in suitable spots on property also condemned from large owners where uncultivated or public lands are not available, thus slowly spreading out villages over the state, each with its market place, its school, its social interest, its opportunity for training in common action.[1] The policy of the old régime was to divide the community property among the members, and thus create individually owned holdings.[2] As a consequence, the ignorant individual owners frequently sold their farms to neighboring ranchers, thus losing their hold on what had been the home of

[1] See Agrarian Law of Yucatan, translated and published by the New York Latin-American News Association.

[2] Wheless, Art. 866.

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their families for generations, and becoming landless proletarians. Often, it is maintained, the property of the village was taken by illegal means, and the villagers were turned out without even the semblance of payment.[1] In either case the effect on the peon was the same—his land was gone. The revolution arose out of the agricultural and social problem thus created.

A process similar to that in force in Yucatan is foreshadowed in the part of Article 27 which refers to the creation of small farms. Existing communities may take by condemnation from neighboring estates the land required for the needs of their people, and new centers may be created in the same way. The price of the land is fixed by the tax assessment as in other cases of public utility, and the difficulties mentioned above will here be increased by the amount of property taken. The constitutionalists have steadily proclaimed their intention to restore to the peon communities the land held in common of which they have been deprived by legal or illegal means, and this has been accomplished in the constitution by taking such land from its present holders and returning it to the communities. Only lands which have been granted to community members in a legal division, or lands which have been owned for more than ten years, are excepted, and even here the excess over one hundred and twenty-five acres held by a single owner is to be returned to the community, its value being paid to the owner. Thus the Yucatan system is provided for by the constitution, and if the confiscation of church lands brings to the nation a large territory to be added to lands already owned by the nation, there would seem to be, at first at least, but little need for proceeding against privately owned estates in the interest of peon ownership, except where an old community needs land for expansion.

As a protection against the tendency of the peon to sell his rights for a little cash, common lands are made inalienable even after they have been divided among the members of the com-

[1] See "The President's Mexican Policy," by F. K. Lane, New York *World*, July 16, 1916.

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munity. This limitation will make borrowing for development difficult; there is evidently need for a carefully organized agricultural banking system under close state or national control. In Yucatan a selling agency has been created for the chief product of the soil, sisal hemp. This agency monopolizes the sale and relieves the peon farmer of one of his chief difficulties. Whether there should be created in other states similar government or governmentally supervised agencies, perhaps a combination of the selling monopoly of Yucatan and the co-operative self-governing associations of the California citrus-fruit or walnut growers, will be an important problem and one far more difficult to solve in other districts, which do not depend on one product as does Yucatan.

Large areas in northern Mexico at least are not suited to these farming communities, and are fitted at the present time only for the business of stock ranching on a large scale. Even wells and sufficient water for stock are scarce, so that there are many large bodies of land which would be valueless unless the cattle upon them have access to water elsewhere. Agricultural communities are an impossibility on these tracts. If all the water in the streams and all the land capable of irrigation which might be used for small communities be taken away from the ranches, the business of cattle ranching would be seriously menaced. It is important for the operation of the ranch that the owner have an irrigated field in which he can grow alfalfa for feed for his horses and cattle, and a certain quantity of grain and beans for his men, so that he can be sure of his supplies without the great expense of hauling them over bad roads, or no roads at all, for long distances.

With these considerations in view it may be questioned whether the provisions of paragraph 11 of Article 27 are wise. This paragraph requires the legislatures of the states and the congress of the union for the territories to pass laws for the division of large estates. The maximum amount of land that a single individual or corporation may own [*ser dueño*] is to be fixed, and the excess divided by the owner, in a period determined by the law. The subdivisions must be put upon sale on conditions approved by the governor in accord with the laws,

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and must be paid for in twenty annual payments which shall amortize the capital and pay interest at not to exceed five per cent. During this period the purchaser cannot encumber the property. The price must be approved by the governor if it is not fixed in the law, and there is, of course, no appeal to the courts by the owner against the price so fixed. A vigorous means of compulsion is provided by permitting the governor himself to divide the excess if the owner does not do so, after expropriating it as other property is taken for a public utility. In this case the proprietor will be obliged to take bonds of a special agrarian state debt in payment. If he is a foreigner this debt will be limited by the provisions of Article 117, section 8, prohibiting the contracting of obligations by the states in favor of foreign individuals or corporations if the contract obliges the state to emit bonds payable to bearer or transmissible by endorsement. Unless the constitution is modified, then, a foreigner whose land is condemned under this paragraph, or indeed is condemned by the states for any purpose, if the payment is not made in cash, must take state non-negotiable securities at par on a low basis of valuation. Evidently a proprietor will prefer to divide his own estate, as he will have a first lien on it for the purchase price, and presumably will be permitted to use it until it is purchased or occupied.

Furthermore, Article 12 of the transitory articles of the constitution gives to Mexicans who have fought in the constitutionalist army, to their widows and children, and to other persons who have served the revolution or public instruction, preference in the acquisition of the subdivisions provided for in Article 27; it also gives these classes a right to "*the discount provided by the law.*" This expression, "the discount provided by the law," should be cleared up. There can be, of course, no reasonable objection to a preference being given to these classes of persons, but discounts in their favor may well be so large that the result of the act will be confiscation. An owner may, of course, refuse to divide his land, suffer condemnation and take bonds of the state in payment; but this, as has been pointed out, is a doubtful expedient for him.

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The operation of this section will not be in the main to favor small properties and certainly not to favor peon proprietorship, which is provided for in a different way, as we have seen. Large ranches must be subdivided into large subdivisions, as in the main they are fit only for pasturage, and there could be no buyers for small tracts owing to scarcity of water and the difficulty of operating small ranches. The cost of stocking the ranches will also be very great, and as the properties cannot be encumbered for a twenty-year period, except where they have been condemned by the state, it will not be easy to borrow sufficient money to build houses and to stock and improve the ranches. Frequently, also, owing to a shortage of water for irrigation, there will be no place on even so large a tract for the establishment of a homestead and for the growing of alfalfa, corn or other feed for horses. Consequently, as there is no provision in the law prohibiting the lease of these properties or prohibiting a single individual from leasing as much land as he pleases, the result of the operation of this paragraph will frequently be that the purchasers of the subdivisions will lease to the original owners, or that a number of the subdivisions will be combined in the hands of a new lessee, thus permitting the lessor to live in town on his income. The tenant, of course, will not feel the same interest in sinking wells, introducing better stock to improve the quality of the cattle, and making other improvements, so that the probable result of the section will be not to hasten but to retard the development of northern Mexico. Would it not be wiser by equalizing taxation,[1] by preventing unfair discrimination by the railroads in favor of politically powerful or large ranchers, by prohibiting monopolies of the privilege of slaughtering cattle in the cities, and by giving government aid in the improvement of herds and methods of agriculture, to let the problem of the great estate solve itself as it is doing in California[2] through the economic advantages of the smaller ranch in a better developed country?

[1] See N. Mex. VIII, 6.

[2] See Calif. XVII, 2.

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IV. *Concessions*

The control over minerals and practically all waters important for irrigation or power is in the national government, which alone may grant concessions to work mines or develop waters under the federal control.[1] In congress, too, is vested all power to legislate in regard to minerals and waters under federal jurisdiction.[2] All concessions in the future are expressly made subject to law, so that they will not, it would seem, be protected by Article 14 against retroactive legislation so far at least as operations under the concessions are concerned. Congress may regulate the exercise of concessions to "secure a fair distribution of the public wealth and to provide for its conservation." An extensive police power is thus retained over the right of the concessionaire, a power which extends to grants already made. In the future, concessions may be given to Mexican citizens or Mexican corporations or to foreign individuals who agree not to invoke the protection of their governments in respect to the grant;[3] but Mexican citizens must be preferred in applications for concessions[4]—a provision not found in the old constitution.

The concluding paragraph of the article declares subject to revision all contracts and concessions granted by previous governments since the year 1876 which result in the monopolization of lands, waters and the natural wealth of the nation by a single person or corporation. It gives power to the executive of the union to declare null any such contract or concession which implies grave prejudice to the public interest. This paragraph would seem to complete the provision of paragraph 3 that the nation may regulate the utilization of natural elements susceptible of appropriation in order to secure an equitable distribution of the public wealth and to assure its conservation. Practically every contract for the utilization of a waterfall is or may be considered a monopoly in that the grant includes the right to utilize all the water at a given point; and frequently, as waterfalls are not very common in many regions of Mexico, it

[1] Art. 27.

[2] Art. 73, XVII.

[3] Art. 27.

[4] Art. 32.

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implies also monopoly of all the water power in a considerable district.

Mining concessions in Mexico are based on what is called a *pertinencia* or mining claim of about two and one-half acres; but practically all of the large mining companies own a great many *pertinencias*, some of which are being operated while others are held in reserve for future exploitation. The extensive examination and development necessary for quartz mining is possible only on the basis of ownership of a large number of *pertinencias*, the number varying with the richness of the ore, so that the task of determining what is a monopoly must be undertaken in a broad way or the mining industry in Mexico will be seriously hampered if not destroyed. Oil concessions are of course very extensive, and what may be considered a monopoly is uncertain. It is not necessarily a public advantage to have a large number of wells bored on a small territory and to prevent a reasonable reserve for the operating company. Operation by a large number of small companies may well make a proper and economical utilization of the gas and by-products of the oil difficult, and in fact be more harmful to the conservation and proper use of the public wealth and more disadvantageous to the public interest than operation by a large corporation under reasonable regulations. Congress can act arbitrarily, the courts are bound by its decision, and while in many cases reforms in concessions will be beneficial, the great delicacy of the situation points to deliberate action after a fair consideration of each case. A committee to study the whole subject, to hear testimony, and to visit the districts and properties, should promptly be provided, and no sweeping action should be taken till it reports.

The congress must, under its general power to legislate, declare what constitutes a monopoly, before executive action can be taken, except in the event that the executive concludes that the concession results in a monopoly which gravely endangers the public interest. He can then, without action of congress, decide what constitutes a monopoly and what monopolies endanger the public interest. After congress has acted, however, it might be held that the president is limited by the congres-

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sional decision, and that his arbitrary power will then extend only to the decision whether the monopoly endangers the public interest. The executive has at his disposal ample means to investigate and he is not pressed or hurried. Haste must often mean unjust action. In some cases, perhaps in many, his arbitrary power, hinted at rather than used, can secure the consent of the concessionaires to much-needed and reasonable reforms, but such absolute power cannot help arousing suspicion; it lays a duty on its possessor to be just, and to act only after due investigation and with the widest publicity. The process of *amparo*[1] can perhaps be used to restrain the executive while the courts examine whether his action is arbitrary and not justified by the facts as possibly endangering the public interest, but it is probable that the courts will not interfere with the exercise of this prerogative. This great power over private rights, combined with that to limit the amount of real estate which certain corporations may hold, suggests the importance of an administrative court with a regular procedure and machinery for public hearings to advise the executive as to his action.

Article 27 lays a heavy responsibility on the congress and the executive. Many of its provisions, in particular the concluding paragraph, depend upon legislation for their interpretation, and the laws, not the constitution, will be at fault if unfairness result. The necessity for careful study of the problems involved in applying fairly the fundamental law is increased by the unrest and the intense feeling resulting from the late revolution, and the study is rendered far more difficult. Delay is often interpreted as obstruction by zealous reformers, but there is no more dangerous expedient in statesmanship than too hasty acceptance of ready-made law, and time spent in fitting proposed measures to actual conditions is time gained and not time wasted.

There is a strong and not unreasonable tendency shown in the constitution and in the spirit which is now triumphant in Mexico to advantage Mexicans where possible. "Mexico for the Mexicans" is not an unfair motto; but those who proclaim

[1] Art. 107.

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it and declare that it means progress for country and people must not forget that Mexicans must be fitted for a Mexico which is in the center of an age of great agricultural and commercial progress. Education not in science and the arts alone, but in technology, handicrafts and agriculture, is a vital necessity, if the soil is to sustain a prosperous class of small farmers, if the men upon whose skill and attention to duty rest the lives of many human beings as well as the success of great properties, are to be trained to operate the railroads and the machinery in the mines and factories, if a class of skilled workmen who can compete with foreigners is to be created in the cities. Furthermore, Mexicans of business ability and initiative must come forward to assume the responsibility of development and management of great enterprises, men who can command the confidence of the foreign capital needed in Mexico as in every new country. Without these leaders and without trained subordinates legal advantages will avail the people little.

A modern state with the mining and manufacturing possibilities of Mexico cannot rest upon a class of peon farmers alone. Important as this class is to the safety of the state, the middle class of business men and mechanics is not less weighty, and upon its development as an intelligent and effective class depends in the end the stability of the free Mexican republic. The education of the Mexican peon, even as a free farmer, to the responsibilities of citizenship, will be slow, so that the burden of the government of free Mexico in the near future must rest upon this middle class, and no effort to build it up can be too great. The interesting and important sections of the constitution dealing with labor must be interpreted in legislation with this end in view, and the commercial and industrial interests of the country must be given a prominence whose necessity up to the present time does not seem to have been appreciated in the United States or in Mexico itself.

J. P. CHAMBERLAIN.

COLUMBIA UNIVERSITY.

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THE DELEGATION OF LEGISLATIVE POWER TO CITIES

II. THE GRANT OF CHARTER-MAKING POWER

I. Recapitulation

IN a previous paper[1] reasons were given why, under the modern conception of the scope and character of a municipal charter, the proposal to confer upon cities large powers of local self-government involves of necessity a delegation of some portion or the whole of the charter-making power. It was pointed out also that, although the cases involving the constitutionality of the reference of statutes to the electors are exceedingly difficult to analyze and classify, the rule is nevertheless certainly established that statutes may be submitted for the approval of local electorates. Among the statutes so submitted charters and analogous laws have been conspicuous.

Now the legislature of any state (barring those in which home rule is a matter of constitutional grant) is unquestionably competent to repeal the entire body of laws for the governance of cities and to substitute a brief general law or brief special laws under which broad powers of local government might be conferred upon a few designated corporate authorities. But a grant of home-rule powers does not of necessity involve a grant of extensive powers to the passing corporate authorities of cities. As has been remarked, our conception of the proper scope of a municipal charter has in the course of time expanded. Home rule therefore involves a delegation to the locality of power to establish a charter under which the corporate authorities created by such charter shall be restrained and controlled in their operation of the government. This means nothing less than that, for the exercise of home-rule powers, there shall be a local competence superior to the local governing officers. It means, in other words, that since the distinction between

[1] POLITICAL SCIENCE QUARTERLY, March, 1917, vol. xxii, p. 276.

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that which is charter and that which is ordinance must be preserved, the local charter-making authority must be different from, and logically superior to, the local ordinance-making authority. For the most part we in the United States have established and preserved this distinction between fundamental and other laws by requiring the direct participation of the voters in the making of the former.[1] In the states which have thus far granted constitutional home rule to cities the employment of this principle of the referendum has been unexceptional. In a democracy such as ours direct action by the electors has come to be regarded as the logical method of laying down that which is fundamental in any self-governing unit of our system.

But the voters cannot act with legal regularity in this capacity without the prescription of machinery for such action; and such machinery usually entails at least the initiatory participation of the incumbent governmental authorities. It seems pertinent, therefore, to inquire into the status of the law upon the subject of the competence of the legislature to vest in the corporate authorities of cities the power to alter the terms of the charters under which they are operating.

II. The Delegation to the Corporate Authorities of Cities of Power to Alter Legislative Charters

There is probably no instance of record in which the contention has been made that the legislature may not delegate to the corporate authorities of cities the power to create, for the carrying out of powers conferred, offices *in addition* to those prescribed by the charter. At the time of the framing of the Ohio municipal code of 1902, by which all the cities of that state were placed under a mandatory and uniform charter,[2] grave doubts were expressed concerning the competence of the

[1] Our method of altering the national constitution is the only prominent exception. The making of ordinary statutes by the referendum process of course impairs this distinction in a measure.

[2] Following the revolutionary decision of State *ex rel.* Knisely *v.* Jones, 66 Oh. St. 453 (1902), which in effect declared void the whole body of laws governing the cities of the state.

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legislature in this regard.[1] But such doubts are refuted not only by historical considerations but also by a very considerable present-day practice in the United States and by a number of cases in which this power of delegation has been expressly recognized although no contrary contention was made.[2] In a few instances, on the other hand, the contention has been made that the legislature may not delegate to the corporate authorities of cities the power to reorganize offices and redistribute powers where the exercise of such power involves the repeal of charter provisions or analogous state laws enacted by the legislature.

In an early Georgia case,[3] involving not a matter relating to offices but an exercise of the police power, it was declared without supporting argument that the legislature could not delegate to a city the power to repeal a state law by ordinance. "We deny," the court was content to say, "the right of the legislature to confer such a power upon a subordinate authority." So likewise in an early Missouri case,[4] which has never been overruled but which has been "distinguished,"[5] it was held, with-

[1] Proceedings of the Special Committee on Municipal Code, ex. sess., 75th General Assembly of Ohio, 1902, pp. 256–259.

[2] Sullivan *v.* Mayor etc. of New York, 53 N. Y. 652, 47 How. Pr. 491 (1873), and Costello *v.* Mayor etc. of New York, 63 N. Y. 48 (1875), construing a provision of a law of 1869 which expressly prohibited the council from "creating any new office or department." Miller *v.* Warner, 42 N. Y. App. Div. (1899) and Myers *v.* Mayor etc. of New York, 69 Hun (N. Y.) 291 (1893), in which it was said that "a public office . . . can be created only by the legislature or by some municipal board or body authorized by the legislature to create a public office." O'Connor *v.* Walsh, 83 N. Y. App. Div. 179 (1903), holding that the legislature *had* granted the power. Riley *v.* Trenton, 51 N. J. L. 498 (1889), which held that the legislature had not delegated to the city council power to re-delegate its powers to a board of excise commissioners which the council was authorized to create, but had itself delegated such powers to this board when established by ordinance. See also Buck *v.* City of Eureka, 109 Cal. 504 (1895); State *v.* Spaulding, 102 Ia. 639 (1897); Smith *v.* Lynch, 29 Oh. St. 261 (1876); and State *ex rel.* Stage *v.* Mackie, 74 Atl. 759 (1909). In this last-mentioned case, however, the court thought it "scarcely conceivable" that the state would delegate such power to cities in a "wholesale way."

[3] Haywood *v.* Mayor etc. of Savannah, 12 Ga. 404 (1853).

[4] State *v.* Fields, 17 Mo. 529 (1853).

[5] State *ex rel.* Dorne *v.* Wilcox, 45 Mo. 458 (1870).

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out the presentation of any argument of interest in this connection, that an act authorizing county courts to suspend the operation of a state road law and thus to revive previously enacted laws on this subject, was not at all comparable to the delegation of local legislative power to municipal corporations, but was an unconstitutional delegation of power.

In a much later New Jersey case [1] it was held that an act authorizing the legislative body of a city "to consolidate any two public offices of said city, or any of its departments," which offices and departments were created by statutory provisions, was void on the ground that "it attempts to delegate to municipal bodies powers which can only be exercised by the legislature itself." The court said that under the terms of the act the council could "concentrate most, if not all, the functions of government in one and the same person." Influenced apparently by a consideration of this extreme possibility rather than by a consideration of legal principles, the court concluded that this was an unconstitutional delegation of legislative power.

In New York the question whether the legislature can give cities the power to repeal provisions of their charters has arisen in connection with two recent statutes. One of these—the so-called "home rule" act of 1913 [2]—deserves brief analysis. It is an anomalous act, superimposed upon the existing complicated special and general laws regulating the government of the many cities of the state. It purports to confer upon all cities powers both in supplement of those already granted and in conflict with limitations previously imposed. There is at the outset a broad grant to every city of undefined "power to regulate, manage and control its property and local affairs" [3] —whatever that may mean—and elsewhere there is an additional grant of authority "to exercise all powers necessary and proper for carrying into execution the powers granted to the city." There is also a grant, in somewhat general terms, of a

[1] Dexheimer *v.* City of Orange, 60 N. J. L. 111 (1897).

[2] Laws of N. Y., 1913, ch. 247.

[3] A similar expression employed in the New York constitution of 1894 (art. xii, sec. 2) has received scarcely any definition by the courts. For the reason, see McBain, The Law and the Practice of Municipal Home Rule, p. 102.

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wide variety of powers specified under twenty-three subdivisions. The general grant of powers (to the extent that it may include anything not covered by existing charter laws or by the elaborate enumeration included in the act itself) awaits judicial construction whenever any city shall have summoned sufficient courage to embark upon the uncharted seas to which it extends invitation. The specific enumeration of powers doubtless confers certain substantive powers not embraced within the charters of some of the cities of the state. Indeed this has been clearly indicated in at least one case, which sustained and applied, without comment on the act as a whole, the clause granting the specific power "to pay or compromise claims equitably payable by the city, though not constituting obligations legally binding on it."[1]

In two respects this law apparently confers upon cities the right to exercise powers in conflict with limitations previously established—the right, in other words, to repeal state laws. In the first place the power is granted, among the so-called "specific powers," to "determine and regulate the number, mode of selection, terms of employment, qualifications, powers and duties and compensation of all employees of the city and the relations of all officers and employees of the city to each other [*sic*], to the city and to the inhabitants." If this clause means anything substantial, it means that the power of reorganizing city departments and official relationships generally (matters usually regulated by charter provisions) is delegated to the local corporate authorities—and this is not to mention the fact that matters relating to the "terms" of municipal employment, such as wages, hours of labor, protection, welfare and safety, are by a constitutional amendment of 1905 made specifically subject to legislative control.[2] In the second place, in possible recognition of the usual confusion in charters between the grant of powers and the provisions relating to governmental organiza-

[1] Mollnow *v.* Rafter, 89 N. Y. Misc. 495 (1915). In such instances curative acts of the legislature had previously been considered necessary. Under this grant of power the corporate authorities of cities may apparently pay claims arising out of contracts entered into in flagrant violation of charter requirements.

[2] Amendment to sec. 1 of article xii.

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tion, and of the related fact that powers are usually delegated to specified corporate authorities and not to cities as such, attempt is made to designate the authorities who shall exercise the powers conferred by this act. Of special interest is the declaration that "any provision of any special or local law which in any city operates, in terms or in effect, to prevent the exercise or limit the extent of any power granted by this article, shall be superseded." Obviously such supersession could result not directly from the law itself but only from local action in the exercise of some power conferred by the law.

It is needless to say that the cities of New York have not hastened to avail themselves of the opportunities afforded by this unique statute, the ramifications of which have been quite inadequately described here. In an opinion construing the law very generally the attorney general has held that "the rule of [strict] construction in respect to municipal powers seems to be changed" by the clause which asserts that "no enumeration of powers in this or any other law shall operate to restrict the meaning" of the *general* grant of powers that is made by the act.[1] This, in his view, was "the most important feature" of the law.[2] There are in the act, he declared, "specific grants of power that seem to reach the limit, at least, of the right of the legislature in dealing with cities;" and he expressed the opinion that the act, being "a long step in the direction of genuine home rule," apparently conferred upon cities "all the power that the legislature possesses in respect to the general management and control of municipal affairs." He believed, in consequence, that it would "do away with constant application to the legislature for enabling acts to exercise purely municipal affairs [*sic*]." While he thus regarded the act as of far-reaching importance, the attorney general nevertheless sounded the note of warning that legislative power could not be delegated. "A perfect home-rule bill" could not be passed without a constitutional amendment. Certain it was that the law did not intend, and "any such power would be ineffectual if

[1] Report of the Attorney-General of New York, 1913, vol. ii, p. 375.

[2] The courts have not as yet passed upon this point.

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attempted to be granted," to allow cities to regulate all matters relating to the conditions and relationships of corporate authorities or to delegate the power to change the form of government of the city.[1] In other words the power to amend the local charter and thus repeal a state law had not been and could not be delegated.

Although it is difficult to place a just estimate upon this unusual and highly complicated statute, it is probably fair to say that if it does not confer the power of charter amendment it is of no great significance, and that if it does confer such power it is, at least in the attorney general's opinion, unconstitutional. That the cities of the state have not to any appreciable extent availed themselves of its opportunities, and have not, in spite of the attorney general's prediction, ceased to apply to Albany for special legislation, is eloquent of the uncertainty of the meaning of the statute, as well as of the difficulty, if not impossibility, of dealing with the powers of a city as a thing easily separated from the matter of organic structure.

In 1914 the legislature of New York enacted a statute known as the optional city-government law.[2] By the terms of this law any city of the second or third class might upon a referendum vote adopt one of six plans of government offered. The legislature naturally hesitated to provide that the adoption of one of these plans should operate to repeal *in toto* all the general and special

[1] Two further points in this opinion call for incidental remark. The support which was sought in the constitutional provision declaring that "it shall be the duty of the legislature to provide for the organization of cities . . . and to restrict" their financial powers was manifestly unfortunate. Clauses of this kind, found in a number of constitutions, are not positive limitations but are patently of a directory character only: People *ex rel.* Blanding *v.* Burr, 13 Cal. 342 (1859). It is impossible to concede, moreover, that the legislature "can delegate powers of legislation only in respect to those affairs that are purely municipal;" that "no state function can be delegated by the legislature to a city." As examples of such non-delegable powers the attorney general cites "the right to regulate the franchise, the right to control the sale of liquor, the right to regulate the civil service, or any other subject covered by state statutes and common to the whole state or necessary in the exercise of the police powers of the state." It is sufficient to remark that, with the exception of suffrage, all of these are subjects in respect to which there are frequent delegations of power to cities.

[2] Laws of New York, 1914, ch. 444.

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laws applicable to the adopting city. Instead of this, provision was made for the direct repeal of laws and provisions only that were actually inconsistent with the newly adopted law.[1] But in order that the principle or scheme of the new government might be ultimately worked out with consistency, and not defeated in part by the continuance of offices and employments established by unsuperseded sections of the old charters or other applicable laws, power was conferred upon the new council to abolish offices, to transfer powers and duties, and to regulate generally the exercise of official powers and the performance of official duties.[2] The exercise of this power involved, of course, the repeal by ordinance of provisions of existing laws so far as they related to the powers and duties of officers.

Upon application the attorney general held that this section of the law delegated legislative power in violation of the constitution.[3] The legislature "cannot secure relief from its duties and responsibilities by such a general delegation of legislative power to some one else."[4] It "cannot authorize a municipal corporation to repeal by ordinance a statute of the state." While there is "no objection to the submission to a city, for its acceptance, of a charter as such," there is objection "to any attempt to delegate to the council of such city the power to say which part of the existing charter shall be retained and which part of it rejected."

In a somewhat unusual New Jersey case, otherwise admirably argued, it was recently held that a provision of the law, which was in effect an optional charter amendment, authoriz-

[1] Laws of New York, 1914, ch. 444, sec. 23.

[2] *Ibid.*, sec. 37.

[3] Opinion dated January 11, 1916. Following the reasoning of his predecessor, *supra*, p. 397, note 1, the attorney general held that since the poor law, which had to be enforced by the overseer of the poor of Niagara Falls (the officer who applied for the opinion) was a general law regulating a "state function," the "power cannot be delegated by the legislature to the city to regulate it even though the existing provisions of law had been repealed."

[4] Relying especially on People *v.* Klinck Packing Co., 214 N. Y. 121 (1915), holding void an amendment to the "one day of rest in seven" law which vested in the commissioner of labor power to grant exemptions, but which set no standards for the exercise of his discretion.

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ing its acceptance by the corporate authorities of any city, was void as being an unconstitutional delegation of legislative powers.[1] Such acceptance may or may not have involved the repeal of charter provisions; this point was not discussed. But the situation was aggravated by the introduction of a plan of alternative acceptance, either by the authorities or by the voters upon petition; and apparently an adverse vote by the electors could be overridden by action of the authorities. However, the decision went to the broader proposition stated. Briefly put, the argument was that while a reference to the voters of charters and similar laws, which the court called "referendum statutes," had been sustained as not being a delegation of legislative power at all but merely a referendum on acceptance *qua* corporators by the people who are to be governed by such laws;[2] and while the delegation of legislative power either to the local government (to be exercised or not) or to the local voters (to be ratified or not) had been sustained;[3] and while the power to create a municipal office (such as an excise commission) could also be delegated, this being denominated a "statute delegating legislative power;"[4] yet a charter or similar law referred for acceptance by the corporate authorities of a city could not be sustained.[5] Apparently the ground for the latter ruling was that the only justification for a referendum to the voters on a charter or analogous law was that they might accept the law *qua* corporators and not *qua* legislators. But the corporate authorities, not being the corporators, represented in such matter an "alien will, even though it be that of the governing body for the time being of the municipality."

[1] Attorney General *ex rel.* Booth *v.* McGuinness, 78 N. J. L. 346 (1909).

[2] POLITICAL SCIENCE QUARTERLY, March, 1917, vol. xxxii, pp. 292, 293.

[3] Sanford *v.* Morris Pleas, 36 N. J. L. (7 Vroom) 72 (1872); Paul *v.* Gloucester County, 50 N. J. L. 585 (1888); Noonan *v.* Hudson County, 52 N. J. L. (23 Vroom) 398 (1890).

[4] Riley *v.* Trenton, 51 N. J. L. (22 Vroom) 498 (1899); Schwarz *v.* Dover, 70 N. J. L. (41 Vroom) 502 (1904).

[5] Specifically overruling De Hart *v.* Atlantic City, 62 N. J. L. (33 Vroom) 586 (1898).

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This decision is illustrative of the refinements of argument into which the pronouncements of the courts have compelled them to drift. If, as has been indicated,[1] the doctrine that the voters do not exercise legislative power in accepting or rejecting a charter or similar law cannot reasonably be sustained by the analogy of the acceptance of private charters, the structure of argument in this case, based as it probably was largely upon the desire to follow previous decisions, must of necessity fall.

In respect to the soundness of the arguments in these decisions involving a delegation to the corporate authorities of power to repeal a charter provision or to accept or reject such a provision, it may again be noted that the legislature is unquestionably competent to make the charter of a city a very brief instrument, vesting in the charter authorities large powers to elaborate the local government by ordinance. In the case of existing charters the legislature may certainly accomplish this by direct repeal of specified charter provisions. Why, then, may not the legislature vest in the local authorities of a city the power to repeal designated provisions of the charter under which the city is at the time operating or to accept new provisions for such charter? "It makes no difference," says the attorney general of New York, "whether they [city charters] contain provisions which the legislature might in first instance have delegated the power to enact to the local council. The answer is that the legislature did not delegate the power in the existing charter but made its own special provisions."[2] In the matter of accepting a charter provision enacted by the legislature, says the highest court of New Jersey, the corporate authorities represent an "alien will." If one looks at the substance of things, each of these declarations appears somewhat attenuated. The first amounts to this—that having occupied a particular field of regulation through the medium of a charter provision, the legislature cannot thereafter retire from that field by delegating to the local authorities a competence which in first instance it might have delegated with impunity. The

[1] Political Science Quarterly, March, 1917, vol. xxxii, pp. 292, 293.

[2] Opinion dated January 11, 1916.

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second amounts to this—that although the legislature may and frequently does empower the corporate authorities of a city to act upon their own discretion in respect to a wide realm of matters, it may not empower them to accept or reject a charter provision regulating one of these matters.

It is manifest, of course, that the corporate authorities of a city would never be vested with power to repeal a charter *in toto*. Only a partial power would be conferred. Otherwise, since whatever the corporate authorities enact is in the nature of ordinance, and therefore subordinate, the distinction between the charter and the ordinances of the city would be completely destroyed. Something of the charter enacted by the legislature would have to remain, even though it were nothing more than the provisions creating those corporate authorities who were empowered to repeal the rest of the charter and thus reduce its provisions to the status of ordinances.[1] The corporate authorities might, on the other hand, be endowed with power to accept a completely new charter.[2] While the statutory delegation to such authorities of power to accept a charter has certainly been rare, it is nevertheless difficult to see why it should be interdicted on constitutional grounds, when it is considered not only that such power may be vested in the local electors but also that the legislature may, by the enactment of a brief and simple charter, vest in the corporate authorities an ordinance power that is almost as extensive as the charter-making power itself.

Over against the few opinions of record in which it has been denied that the legislature is competent to authorize the local authorities to transform specified provisions of a charter into ordinances, may be set many important instances in which the legisla-

[1] State constitutions occasionally contain provisions that are expressly made subject to alteration by the legislature. When the legislature acts under an authority of this kind it does not, strictly speaking, amend the constitution; it merely transforms a subject of constitutional regulation into one of statutory regulation. But if the legislature were empowered to do this with *every* provision of the constitution, there would no longer be any distinction between the constitution and the statutes of the state.

[2] They are in fact endowed with such power by the exceptional provisions of the constitution of New York.

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ture has actually exercised this competence without any resulting judicial controversy. The citation of one or two such instances will suffice. In spite of the elaborateness of the Greater New York charter of 1897,[1] there were a number of instances in which power to alter charter provisions was conferred upon the municipal assembly (now the board of aldermen). Thus salaries could be fixed by ordinance "irrespective of the amount fixed by this act."[2] So also upon the enactment of a building code by the municipal assembly all statutes relating to buildings were to be repealed, "but such repeal shall not take effect until such 'building code' shall be established."[3] When the charter of the city was revised and re-enacted in 1901, there was attached to the statute a so-termed "second schedule" which listed no less than fifty-six sections of the previous charter as "sections to remain in force until changed by the board of aldermen."[4] Again, the Boston charter of 1909[5] conferred upon the mayor and city council extensive power to reorganize the administrative departments of the city government regardless of provisions of the existing charter. It does not appear that these very important instances in which the power of charter amendment has been delegated to the local authorities have ever been contested before the courts. This is passing strange if it be true that there exists in the body of our constitutional law a rule denying the competence of the legislature to make such a delegation.

III. The Delegation of Charter-Making Power to Corporate Authorities and the Electors

We are in search of a line of consistent legal reasoning that will sustain the competence of the legislature to delegate to cities the power to make their own charters within such general scope and subject to such general limitations as the legislature

[1] Laws of New York, 1897, vol. iii, pp. 1–559.

[2] *Ibid.*, sec. 36.

[3] *Ibid.*, sec. 647.

[4] Laws of New York, 1901, vol. iii, p. 663.

[5] Acts of Massachusetts, 1909, ch. 486, sec. 5.

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may set. The distinction between that which is charter and that which is ordinance has always rested solely upon a difference in the enacting authority. What the legislature enacts is charter, no matter how trivial may be its subject. What the municipal authorities enact is ordinance, no matter how high and important its subject. Both are acts of legislation. In respect to the former we have seen that the courts hold the legislature to be constitutionally competent to submit a proposed charter or analogous law to the voters of the city for acceptance or rejection; and although it must be admitted that the grounds usually advanced in support of this rule of competence are far from satisfactory, there seems to be no reason why the courts, freely conceding that this is a delegation of legislative power, might not simply take the stand that the constitution does not of necessity imply that such a delegation is prohibited. We have seen also that the delegation of power to reduce designated charter provisions to the status of ordinances is supported by important practice as well as by weight of reason, although in a few opinions the power of the legislature to make such a delegation has been denied. If the validity of both these acts of delegation be conceded, why may not the legislature divest itself completely of the charter-making power and vest such power in the local corporate authorities and the local electors acting in combination? If the legislature may devolve a portion of its power, why may it not devolve the whole of it? The combination of proposal by some existing or specially constituted corporate body and ratification by the electors would offer adequate solution of both the legal and the practical problem. The distinction between charter and ordinances would be preserved. What the voters acted upon in the prescribed manner (instead of what the legislature enacted) would be charter—the superior law of the city. What the corporate authorities alone enacted would be, as at present, ordinance.

There is another way of looking at this matter. In granting the charter-making power to cities it is not necessary and probably not desirable that the legislature should prescribe only the machinery for the exercise of the power. There are a number of moot questions concerning the local competence

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that ought to be settled by statute, if for no other reason because the city should not be left in uncertainty as to the metes and bounds of its powers in respect to dubious matters. In Michigan and in Texas the power to frame their own charters is granted to cities by constitutional provision; but the legislature may determine not only the manner of exercising this power but also its scope. In each of these states the legislature has enacted a somewhat elaborate "home rule" or "enabling" act.[1] If such a law were enacted in a state having no constitutional provision upon this subject, why might not this law itself be regarded as the fundamental law of every city? Such it would be in fact, no matter what it were called. It would not do perhaps to call it the charter of the city; for this would doubtless result in a confusion of terms, and it is probably desirable to retain the term charter as descriptive of the instrument which actually provides the organization of the local government. It might readily be argued, however, that the legislature, in enacting such a law, had exercised all the legislative power necessary for the creation and regulation of municipal corporations; that it had merely delegated a larger degree of local legislative power than has been customary; and that it had provided for the division of the power so delegated into two parts—namely, the power of charter making, in which the voters should participate, and the power of ordinance making, which should be regulated by the provisions of the locally made charter.

The difficulty of following this argument, if any there be, arises from the use of old terms to describe a somewhat new statutory situation. If the home-rule act passed by the legislature were called the charter of the city, if the charter ratified by the voters were called—let us say—the "fundamental ordinance" of the city, and if the ordinances enacted by the corporate authorities were called by some appropriate name to indicate their inferiority, the difficulty of sustaining the constitutionality of such a legislative act, at least so far as established nomenclature is concerned, would be largely, if not entirely, overcome.

[1] Public Acts of Michigan, 1909, no. 279; General Laws of Texas, 1913, ch. 147.

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IV. *Legislative Attempts to Grant the Charter-Making Power*

There remains only to mention the few instances in which legislatures have, without express constitutional sanction, attempted to delegate to cities a more or less complete charter-making power.

In the year 1828 a charter proposed by the legislature for the city of New York was submitted to a local referendum and was defeated at the polls.[1] Thereafter the corporate authorities of the city, without express sanction of law, provided for the election of members of a so-called municipal convention which should draft a charter for the city. In 1829 the charter thus drafted was submitted to and approved by the voters. At its next session the legislature enacted this charter without amendment.[2] In 1846 the legislature itself made provision for the election of a similar municipal convention to revise the charter of New York.[3] The charter that was framed by this convention was rejected at the polls; but shortly afterward a charter proposed by the board of aldermen of the city was enacted by the legislature, submitted to the electors, and by them approved.[4] In Brooklyn also a charter convention met in 1847 under statutory sanction[5] and, having drafted a charter, caused it to be "printed for distribution among the inhabitants of said city" as was required by the law. This charter was submitted to the local electors for approval *after* it had been enacted by the legislature.[6]

These are early instances in which the propriety of permitting localitites to draft their own charters was recognized apparently without hesitation. Certain later instances of a similar character may also be mentioned. By an Oregon law of 1901 twenty-three designated voters of the city of Portland were empowered to draft a charter which upon approval by the

[1] Laws of New York, 1828, 1st sess., ch. 249.

[2] *Ibid.*, 1830, ch. 122.

[3] *Ibid.*, 1846, ch. 172.

[4] *Ibid.*, 1849, ch. 187.

[5] *Ibid.*, 1847, ch. 246.

[6] *Ibid.*, 1849, ch. 47.

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electors should be submitted to the legislature "for its approval or rejection as a whole, without power of alteration or amendment."[1] Thus was the Portland charter of 1903 framed and enacted. So also a statute Virginia[2] passed in 1914 authorizes cities of more than 100,000 inhabitants (Richmond) to *propose* new charters to the legislature, the procedure for proposal being that such charters shall be adopted by ordinance and submitted to a vote of the people.[3] In 1915 a law of the same state authorized fifteen per cent of the electors in cities having a population of from 75,000 to 100,000 inhabitants (Norfolk) to petition for the election of a charter commission. The charter drafted by this commission shall, upon approval by the voters, "constitute a request to the general assembly to grant the said special charter or form of government provided therein."[4] Each of these Virginia statutes establishes a continuous procedure for local initiative in the matter of charter making.

So far as legal principles are concerned it is manifestly important to note that each of the instances just mentioned involved or involves direct action upon the charter in question by the legislature itself. From the viewpoint of political psychology it is nevertheless apparent that a legislature would hesitate to amend or refuse to enact a charter which had been approved by the voters of a city.[5] It is interesting in this connection to note that the New York municipal convention of 1846 regarded the legislative ratification as of so little importance that they incorporated into the charter which they drafted

[1] General Laws of Oregon, 1901, p. 296. It is obvious, of course, that the Oregon legislature of 1901 had no authority to bind its successor of 1903 to accept or reject the proposed charter without power of amendment.

[2] Sec. 117 of constitution, amended in 1912, authorized special charters by "request."

[3] Acts of Assembly of Virginia, 1914, p. 81; amended, *ibid.*, 1916, p. 116.

[4] Acts of Assembly of Virginia, ex. sess., 1915, p. 80d; re-enacted in revised form as applicable to cities of from 65,000 to 100,000, *ibid.*, 1916, p. 62.

[5] In California, under the constitutional provision granting home rule to cities, all charters and charter amendments must, after being locally drafted and adopted, be submitted to the legislature for approval, without power of amendment. In the entire history of home rule in that state, covering the enactment of numerous charters and amendments, the legislature has never refused its approval. See McBain, The Law and the Practice of Municipal Home Rule, pp. 218–220.

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and which was defeated at the polls a provision for future amendment without legislative approval.[1]

Of much greater importance than the instances above mentioned are those in which the legislature has delegated to cities the complete power of charter making without reserving to itself the right of direct action. Probably the earliest instance of this was found in an Iowa law of 1858 which conferred upon existing cities the power to amend their charters by initiative petition and referendum vote.[2] Without any consideration whatever of the question of the delegation of legislative power this law was enthusiastically approved by the supreme court of Iowa,[3] and it still remains upon the statute books as applicable to cities which have not voluntarily adopted the general charter law.[4] So also in Mississippi a law which provides for the amendment of city charters by local action without legislative ratification has been approved by the supreme court of the state.[5] So also the supreme court of Illinois has expressed the opinion *arguendo* that the legislature might provide for the incorporation and alteration of the charters of cities "in the discretion and through the agency of those affected;"[6] but the legislature of that state has never adopted any such policy.

[1] Journal of the City Convention, 1846, p. 715.

[2] Laws of Iowa, 1858, ch. 157, sec. 111.

[3] Von Phul *v.* Hammer, 29 Ia. 222 (1870); *Ex parte* Pritz, 9 Ia. 30 (1859); Davis & Bro. *v.* Woolnough, 9 Ia. 104 (1859); Hetherington *v.* Bissell, 10 Ia. 145 (1859).

[4] Iowa Code of 1897, sec. 1047.

[5] Code of Mississippi, 1892, sec. 3039; amended by Laws of 1900, ch. 69; Code of 1906, sec. 3444; sustained in Yazoo City *v.* Lightcap, 82 Miss. 148 (1903). The procedure provided is enactment by the mayor and council, approval by the governor and attorney general, and ratification by the electors only in case a protest is filed signed by one-tenth of the voters. In possible support of such a law attention may be called to the unusual phraseology of section 88 of the Mississippi constitution of 1890, which reads: "The legislature shall pass general laws . . . under which cities and towns may be chartered and their charters amended." The only constitutional question discussed in the Yazoo City case was whether the law providing for the amendment of charters by local action was a "general law" within the meaning of the constitution.

[6] People *ex rel.* Miller *v.* Cooper, 83 Ill. 586 (1876).

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In Louisiana under a law of 1886 any city except New Orleans may amend its own charter or adopt an entirely new charter upon a petition by taxpayers or property owners, and ratification by the electors. This law appears never to have been contested before the courts and probably has been infrequently used in consequence of the large number of petitioners required.[1] In South Carolina by statutory allowance amendment to any special charter or general act of incorporation may be initiated by a majority of the freeholders of the city and ratified by a majority of the electors.[2] This law also seems never to have been contested. Probably for the same reason as in the case of the Louisiana statute it has seldom if ever been made use of. In Florida, charter-making power has been extended to certain specific cities by the terms of special charters;[3] and although the power thus conferred has certainly been exercised in some instances by Florida cities, the competence of the legislature to confer such power has apparently not been judicially questioned.

Within the last few years the legislature of Connecticut has granted the charter-making power to certain cities. Thus in 1913 the city of New Haven was authorized to amend its charter by initiation of the board of aldermen or a voters' petition, and subsequent ratification by the voters.[4] A similar law was enacted for Waterbury in 1915.[5] It remains to be seen whether the Connecticut courts will sustain such delegations of power if any judicial contest is raised over an attempted exercise.

From the instances cited it appears that complete home rule, or charter-making power, has been delegated to cities by statute in at least six states—Iowa, Mississippi, Louisiana, South Carolina, Florida and Connecticut. In two of these—Iowa and Mississippi—the courts have sustained such delegation; in the others the question of legislative competence has not been

[1] Acts of Louisiana, 1886, p. 138; *ibid.*, 1896, p. 190.

[2] Acts of South Carolina, 1899, p. 70.

[3] See, for example, the charter of Gainesville; Laws of Florida, 1907, p. 399.

[4] Special Laws of Connecticut, 1913, p. 817; amended by *ibid.*, 1915, p. 335.

[5] *Ibid.*, 1915, p. 439.

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raised. In two other states, however, the courts have refused to uphold statutes of this kind. Thus in Michigan, prior to the grant of home rule by the constitution of 1908, a law was declared void which provided for amending the charter of Detroit by a proposal of the mayor, ratification by a three-fourths vote of the council, and approval by the electors; or, as an alternative method, by a proposal of five hundred petitioners and approval by the electors.[1] The court said that in delegating legislative power to cities the legislature "must point out specifically the powers delegated, and the extent of those powers." Whether this act was regarded as delegating power to the corporate authorities, or to a limited number of petitioners, or to the electors, it was equally unconstitutional. This was true as a general proposition, but it was especially true in Michigan because of a clause of the constitution which specifically authorized the delegation of "such powers of a local legislative and administrative character" as the legislature might deem proper. This act, the court argued, gave the city of Detroit such legislative and administrative powers as the local electors, and not the legislature, thought proper.

So also in a recent Wisconsin case[2] a law was held invalid which attempted to confer upon the cities of the state power to amend existing charters and to adopt new charters by a procedure which was patterned after that provided in most of the twelve states that have conferred such power by constitutional provision. The making of charters, said the court, was not only "a legislative function at common law," as was shown by the history of its exercise in this country, but was also made "exclusively such" by express constitutional provisions vesting in the legislature the power to "form municipal corporations" and to "provide for the organization of cities."[3]

[1] Elliott *v.* City of Detroit, 121 Mich. 611 (1899).

[2] State *ex rel.* Mueller *v.* Thompson, 149 Wis. 488 (1912).

[3] In 1913 the supreme court of Vermont held void an act which conferred upon the public service commission power to incorporate villages and to amend city and village charters upon petition; Acts of Vermont, 1910, no. 115. That act, said the court, "goes too far when it leaves it to the commission to determine the plan and frame of government of the proposed village, what powers and functions it may exercise,

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V. Conclusion

It seems fair to conclude that the law upon this subject of the competence of the legislature to delegate the charter-making power to cities is, to say the least, not as yet settled. It is earnestly to be hoped that in the process of bringing it to settlement the courts will not take a pinched and narrow view of legislative practices and possible constitutional implications. So far as the practical problem is concerned, they should recognize: that the demand for municipal home rule is fairly irresistible; that the generic term "municipal charter" is applied to a wide variety of instruments; that while there is no accepted standard for marking the proper content of a city charter, a very brief instrument conferring large discretionary powers on a few designated authorities is probably no longer feasible; and that in consequence of this the proposal to extend a larger measure of self-governing powers to cities involves of necessity a grant of some part or the whole of the charter-making power. So far as legal principles are concerned, they should concede that the rule against the delegation of legislative power to cities is at best only a *possible* implication of the constitution; that the delegation to the local voters of power to accept or reject a proposed charter can logically be regarded only as a delegation of legislative power and therefore as a refutation of the rule in its application to laws which are charters;

and what shall be the limit of its expenditures and indebtedness, for these are questions of legislative judgment and discretion, and therefore their determination cannot be delegated." Opinion of Justices, 86 Atl. 307 (1913).

So also in St. Mary's *v.* Woods, 67 W. Va. 110 (1910), it was held that the legislature could not vest in the circuit court power to amend a special city charter. However, there appeared to be no question concerning the validity of section 1896 of the code of 1906, which vested in the circuit court power to incorporate and to amend charters of cities of less than 2000 inhabitants. It was apparently the view of both the legislature and the court that the constitutional prohibition against the enactment *by the legislature* of special charters for such cities justified the delegation of this power, although it is manifest that the legislature might have met the situation by enacting a general charter law.

Neither of the laws involved in these Vermont and West Virginia cases is directly in point with the discussion of the text. They involved no question of home rule, but a question of the delegation of charter-making power to administrative and judicial officers of the state.

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that the delegation to municipal authorities of power to reduce specified charter provisions to the status of ordinances is clearly a delegation of legislative power; and that the competence of the legislature to make such a delegation, although denied in a few opinions, is supported by a considerable legislative practice as well as by sound reason. In the light of these far-reaching exceptions to the rule of non-delegation to cities the courts would be justified, it would seem, in establishing the rule that the legislature is fully competent to delegate the charter-making power itself, preserving the desirable distinction between charter and ordinances by requiring a referendum vote upon the former.

HOWARD LEE MCBAIN.

COLUMBIA UNIVERSITY.

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THE TRAINMEN'S EIGHT-HOUR DAY. II

IN a former article[1] dealing with the Trainmen's Eight-Hour Day, the writer discussed the early phases of the movement, giving a brief historical account of the railroad brotherhoods, and tracing the recent eight-hour issue from its inception in July 1915 to the close of the conference between the railroads and the men held in June 1916. The present paper is concerned with later developments.

IV. *Voting to Strike*

When the public learned that the conferees had broken off negotiations and that a strike vote would be taken, considerable discussion arose concerning the inability of the parties to agree. The press in general supported the railroads, condemning the men for refusing to arbitrate. Much of this criticism was caused by failure to perceive that the managers had suggested arbitration, not for the eight-hour day *per se*, but only as modified by their own "contingent proposition," and even today the public has never had opportunity to study critically this proposed modification. Yet it was the indefinite nature of the railroads' proposal that caused the break in negotiations. Had the managers genuinely wished to continue the conference, they could probably have re-worded their "contingent proposition" so as to make it specific in its application. The "yardstick," which they offered as an explanation, was virtually as equivocal as the original, and only tended to heighten the suspicion of the men that in case of arbitration it might be used by the roads to nullify many advantages in existing trade agreements.

On the very day that the conference ended, strike ballots were sent out to all train-service employees, union and non-union. Accompanying each ballot was a statement by the brotherhood leaders giving their explanation of the failure of

[1] POLITICAL SCIENCE QUARTERLY, December, 1916, vol. xxxi, p. 541.

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the meetings, due, they said, mainly to the vagueness of the "contingent proposition."[1]

While voting was in process the unions complained bitterly that the railroads were trying to influence the men, notwithstanding the fact that the managers had promised there should be no interference. Some of the charges were:[2] That employees were being called in by local officials and questioned on their attitude toward the strike; that bulletins and circulars were issued to mislead and intimidate the men; that personal letters were sent out by road officials asking the men to remain loyal; that some roads openly advertised for new employees; and that on other systems counter-ballots were circulated by managing officials. The National Committee later denied that it was in any way responsible, since the activities were conducted by individual roads and not by the committee itself.[3]

The polling being practically complete by August, another conference was called at New York.[4] The men submitted figures showing that approximately ninety-three per cent favored striking in case their leaders could not effect a satisfactory settlement with the operators.[5]

[1] See Bulletin issued by the Brotherhood Chiefs, June 16, 1916, pp. 1–4.

[2] *The Railroad Trainman*, vol. xxxiii, no. 8, August, 1916, pp. 699, 718. *Ibid.*, no. 9, September, 1916, p. 817. *Locomotive Firemen and Enginemen's Magazine*, vol. lxi, no. 2, August, 1916, p. 192.

[3] Minutes of Meetings held between the National Conference Committee of the Railways and the Brotherhood of Locomotive Firemen and Enginemen, Order of Railway Conductors, Brotherhood of Locomotive Engineers, and Brotherhood of Railroad Trainmen, August 8 and 9, 1916, p. 580. Hereafter referred to as August Conference.

[4] *Ibid.*, pp. 553–593.

[5] The detailed figures of the strike vote were as follows:

	Per cent favorable
Locomotive Engineers	
Southern District	98.72
Western District	90.35
Eastern District	94.54
Railway Conductors	
Southern District	84.03
Western District	84.08
Eastern District	93.04
Firemen and Enginemen (all districts)	98.10
Railway Trainmen (all districts)	97.00

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The managers took the result of the ballot under advisement. Their answer, which was given the next day, followed along the lines of their final reply at the June Conference.[1] They insisted that an eight-hour day involved such extraordinary changes in operating methods and such a radical revision in the established bases of compensation as to make a settlement impossible, unless this result could be obtained by the Federal Board of Mediation and Conciliation. The note closed by inviting the brotherhoods to join in invoking the friendly offices of the federal board.

President Garretson, in replying for the men, argued that the interests of both parties could best be served by voluntary negotiation; past experiences with the government board, he said, had been so unsatisfactory that the unions did not favor putting the present controversy before it. If the managers wished to invoke its services, however, the brotherhoods would offer no objection.[2]

The operators appealed to the board at once and as its members were already in New York efforts at mediation began immediately. The path of the mediators was not strewn with roses. Neither side would make a concession, and after four nerve-racking days and nights the board gave up in despair.[3]

V. *The White House Conferences*

By this time the country was thoroughly aroused to the possibilities of a great strike. Telegrams were pouring into Washington asking President Wilson to intervene in case the federal board failed. This he did on August 9, telegraphing both sides to come to Washington to confer with him.[4]

At the first meeting with the employees the President proposed that the whole controversy be turned over to a board of arbitrators. The men refused, saying that they would never arbitrate the contingent proposition submitted by the railroads.

[1] August Conference, pp. 589–590.

[2] *Ibid.*, pp. 590–591.

[3] *New York Times*, August 13, 1916, p. 1.

[4] *Ibid.*, August 14, 1916, p. 2.

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At a succeeding conference President Wilson submitted another plan of settlement. His own statement of it follows: [1]

I have recommended the concession of the eight-hour day, that is, the substitution of an eight-hour day for the present ten-hour day in all the existing practices and agreements. I made this recommendation because I believed the concession right. The eight-hour day now undoubtedly has the sanction of the judgment of society in its favor and should be adopted as a basis for wages even where the actual work to be done cannot be completed within eight hours.

Concerning the adjustments which should be made in justice to the railroads and their stockholders in the payments and privileges to which their men are now entitled (if such adjustments are necessary), there is a wide divergence of opinion. The railroads which have already adopted the eight-hour day do not seem to be at any serious disadvantage in respect to their cost of operation as compared with the railroads that have retained the ten-hour day, and calculations as to the cost of the change must, if made now, be made without regard to any possible administrative economies or readjustments. Only experience can make it certain that rearrangements would be fair and equitable either on behalf of the men or on behalf of the railroads. That experience would be a definite guide to the Interstate Commerce Commission, for example, in determining whether, as a consequence of the change, it would be necessary and right to authorize an increase of rates for the handling and carriage of freight (for passenger service is not affected).

I therefore proposed that the demand for extra pay for overtime made by the men and the contingent proposals of the railroad authorities be postponed until facts shall have taken the place of calculation and forecast with regard to the effects of a change to the eight-hour day; that, in the meantime, while experience was developing the facts, I should seek and, if need be, obtain authority from the Congress to appoint a small body of impartial men to observe and thoroughly acquaint themselves with the results with a view to reporting to Congress at the earliest possible time the facts disclosed by their inquiries, but without recommendation of any kind; and that it should then be entirely open to either or both parties to the present controversy to give notice of the termination of the present agreements with a view to instituting inquiry into suggested readjustments of pay or practice.

[1] Mimeograph copy of the President's statement, furnished by his secretary.

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This seems to me a thoroughly practical and entirely fair programme, and I think that the public has the right to expect its acceptance.

One can see that the President's proposal was in the nature of a compromise. The men were to gain the eight-hour day, but not their claim for time and a half pay for overtime. The investigation of the operation of the law by a congressional committee held out possibilities of securing co-ordination between wage and rate increases—a point for which the railroads had long been contending.

The union leaders were favorable to this means of settlement, and promised to present the matter to their general chairmen for ratification on the following day. The President then called in the railway managers for their opinion. They objected to the plan and accused the Chief Executive of acting after listening to one side only, which they claimed placed the railroads in a very unfair light. Many newspapers supported the managers and trained their guns on President Wilson, charging him with cowardice and playing politics. Publicity agents of the corporations used every means at their disposal to bring pressure to bear upon the White House to substitute some other plan.

President Wilson, however, showed no intention of receding. Failing to convince the National Committee, he telegraphed leading railway presidents. In reply to an appeal from Colonel George Pope, president of the National Association of Manufacturers, asking that the principle of arbitration be upheld, he replied that while he approved the principle, there was no machinery for compelling its acceptance. The feasible thing, he added, was to inaugurate an eight-hour day, "toward which the whole economic movement of the times seems to point," and the "immediate creation of an agency for determining all the arbitrable elements in this case in the light, not of predictions or forecasts, but of established and ascertained facts." [1]

The railroad presidents proved as obdurate as had their national committee. The capital was filled with rumors of congressional action, even government ownership, whereupon the executives asked for further time to consider the matter.

[1] *New York Times*, August 21, p. 1.

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In the meanwhile a new source of worry arose. The 640 chairmen had acceded to the plan largely through the influence of their leaders, but as day after day dragged by without a similar acceptance by their employers, the rank and file of the group grew very restless.[1] Evidence was procured which showed that the managers were utilizing the delay to bring still greater pressure to bear upon President Wilson, and the men became insistent that their leaders take definite action at once.

On August 26, twelve days after the first White House conference, the railways offered a counter-proposal to President Wilson. They suggested:

1. That the Interstate Commerce Commission authorize the railroads to keep two sets of maintenance books, one on the basis of the existing rate of pay, and one on the basis of an eight-hour day.

2. That the President name a board of arbitration to consider the issues between the railroads and the brotherhoods.

3. That the difference between what the two sets of maintenance books showed be subject to draft of the arbitrators, who were to have authority to pay therefrom any wage increase they might grant.

The brotherhoods promptly rejected the proposal, thus causing talk of an immediate strike. On Monday, August 29, the labor leaders admitted that they had already called for a cessation of work on the following Monday, Labor Day, September 4.[2] The news nearly caused a panic. Every piece of governmental machinery designed to forestall such a crisis had signally failed, and Congress itself was on the verge of adjournment. Transportation companies at once put embargoes on future shipments, and a cloud of uncertainty enveloped all traffic movements. President Wilson, convinced that further attempts at mediation were useless, took the matter to Congress on the following day. His plan involved six features:[3]

1. The enlargement of the Interstate Commerce Commission.

2. The creation of an eight-hour day in train service.

[1] *New York Times*, August 22, p. 1. [2] *Ibid.*, August 29, p. 1.

[3] Address of the President of the United States. Delivered at a Joint Session of the Two Houses of Congress, August 29, 1916. Washington, pp. 3–8.

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3. The appointment of a small committee to investigate the operation of the new law and report to Congress.

4. The recognition of the power of the Interstate Commerce Commission to grant higher freight rates to offset the added expense due to the eight-hour day.

5. The compulsory investigation of all future disputes between the railroads and their employees.

6. The granting of power to the president to take over the roads and draft train crews into service in case of military necessity.

A hasty caucus in the House by majority leader Kitchin showed the futility of attempting to put through all the measures before Congress adjourned, and serious work soon centered about the creation of a legal eight-hour day and a commission to investigate its effects.

Within sixty hours after the President had read his message the House had drawn up, considered and passed an act embodying these features. To prevent unnecessary delay the Senate accepted the House bill, and after a day filled with oratory, passed it. The measure could not be signed at once, as the President was at Shadow Lawn receiving notification of his renomination, but, acting upon the assumption that there would be no difficulty from that quarter, the brotherhood leaders late Saturday ordered the strike off. President Wilson returned to Washington the next day long enough to sign the bill.

The act, commonly known as the Adamson Law, provided that beginning January 1, 1917, eight hours should constitute a day's work in train service, the men to be paid the same wage for eight hours that they had received under their old schedules, a majority of which were on the ten-hour basis. Work in excess of the legal day was to be paid *pro rata*. A commission was created to watch the workings of the shorter day and report to Congress within ten months after the law went into effect. The measure followed along the lines first suggested by President Wilson.

Endless discussion ensued concerning the wisdom of this legislation. Many periodicals condemned both the President and Congress, loudly maintaining that the national Executive and our legislative body had been openly clubbed into submis-

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sion by the trainmen. At the other extreme were the labor unions, wildly exultant. The American Federation of Labor, which but recently had criticized the brotherhoods for their exclusiveness, now unstintingly praised them, and there was talk of an understanding between the two. Between these extremes stood the public, heaving a sigh of relief that a strike had been averted, yet inclined to resent the method employed—like a man who, jumping to dodge an automobile, is profoundly grateful to escape, yet angered at being obliged to hurry.

Circumstances soon forced the new law into politics. The presidential campaign was at hand, and as yet no definite, clear-cut issue had presented itself to either party. The Democrats could obviously utilize the act to illustrate their friendliness toward organized labor. Republicans, however, realized that many persons considered the law rank class legislation, and that prominent financial contributors would be glad to see it roundly abused.

President Wilson in the opening speech of his campaign declared that public interest justified the passage of a measure which would prevent a nation-wide strike, and from time to time throughout the campaign he referred to the beneficent features of the law, with the added promise of recommending further protective legislation in case of railway disputes as soon as Congress convened.

Mr. Hughes, the Republican candidate for president, could see only evil in the Adamson Law. He declared that Congress had passed it under duress and that at no time had the rights of the public been adequately considered. He caused uneasiness by giving his opinion, as a lawyer, that the act was unconstitutional.

VI. *Aftermath of the Adamson Law*

The electoral vote was still in doubt when affairs relating to the eight-hour situation took a new turn. On November 8 the railways began to file suits in various federal courts throughout the country contesting the validity of the Adamson Law.[1] Attorneys

[1] *Information Quarterly*, vol. ii, no. 4, January, 1917, p. 638.

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on both sides agreed to co-operate in getting a test case tried as soon as possible. The one selected was the injunction petition instituted by the receivers of the Missouri, Oklahoma and Gulf Railroad asking that the operation of the law be withheld until its legality had been definitely determined. The government on November 21 asked for an immediate hearing upon this case, and, in the event that the court should sustain the injunction, it requested that the judge direct the railroad to co-operate with the government in securing an immediate hearing before the Supreme Court of the United States.[1]

On the following day Judge Hook, who was sitting in the case, declared the injunction sustained, as in his judgment the law was illegal.[2] He did not hand down an opinion, but merely a restraining order, and took occasion to emphasize that his decision was not founded upon mature deliberation, but was given hurriedly in order to expedite a Supreme Court hearing.

Both sides found it impossible to hasten matters as rapidly as they had hoped, so that January was nearly half over before the final hearing took place before the highest tribunal. The arguments pro and contra centered around the questions: Did Congress have power to limit hours of service of railway employees? Did the Adamson Law regulate wages? And if so, did Congress possess wage-fixing powers? The government based its plea largely upon the authority of Congress as upheld by the federal court in the case of the Baltimore and Ohio Railroad *v.* the Interstate Commerce Commission, wherein the validity of the so-called sixteen-hour law, passed by Congress, was sustained. Federal attorneys insisted that the Adamson Law was not wage regulation, but even if it were, the power of the national legislative body was sufficient to cover such a contingency. The railways claimed that the act was fundamentally a wage law—something which went beyond the scope of Congress; that it took property without due process of law; and that it abridged the freedom of contract, both of which last acts were contrary to provisions of the federal constitution.[3]

[1] *Information Quarterly, loc. cit.*

[2] *Ibid.*, p. 640.

[3] *Ibid.*, p. 640.

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While the wheels of justice were grinding away on the measure, the eight-hour question developed new phases. The Switchmen's Union of America, following the lead of the "Big Four" brotherhoods, petitioned its employers for an eight-hour day. On August 7, the case was brought under the provisions of the Newlands Act and was submitted to arbitration.[1] A federal board began to sit on the case early in November, and just before the holidays it reached a decision in which the men were granted their demands in regard to hours.[2]

The question was also receiving attention in Congress. President Wilson in his message on December 5 dwelt primarily upon the need of further railway legislation.[3] After recalling the fact that in the closing days of its former session Congress had enacted only two of his six proposals, he urged strongly the immediate passage of a law increasing the size and facilities of the Interstate Commerce Commission, and another act providing for compulsory investigation before a strike or lockout could be declared. On January 6, Representative Adamson, chairman of the House Committee on Interstate and Foreign Commerce, submitted a bill providing for supplementary legislation according to the President's wishes. On January 17, 19 and 23, the committee held extended hearings.[4] The brotherhoods, backed by the American Federation of Labor, strongly opposed the adoption of compulsory investigation and arbitration. The Senate and House found it difficult to agree on definite proposals, and gradually foreign relations pushed the whole matter into the background, so that Congress adjourned on March 4 without new legislation.

During these developments the brotherhoods were proceeding upon the assumption that the Adamson Law was valid. Late in September they requested the National Conference Committee to join with them to discuss the interpretation of

[1] See Copy of Award, published as form no. 53, New York, December 28, 1916.

[2] The victory for the switchmen was not complete, as they were denied certain important requests. For full statement see Award mentioned above.

[3] *Congressional Record*, vol. liv, no. 2, December 5, 1916, pp. 16–17.

[4] 64th Congress, Second Session, hearings on H. R. no. 19730, before House Committee on Interstate and Foreign Commerce, Jan. 17, 19 and 23, 1917.

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the act.[1] Such a conference was held in November, but little was accomplished. The railroads declared that the Adamson Law eliminated the old method of payment by the mile, substituting in its place payment on the basis of eight hours' work. The unions insisted that 100 miles still constituted a day's work, the only change being that after January 1 the distance should be run within eight hours instead of ten. The managers brought the meeting to an abrupt close by announcing their intention of contesting the law in the courts.

On December 26 the railroads served notice upon their employees that since the constitutionality of the act was still in doubt, the provisions of the law would be ignored until a final decision was handed down.[2] The roads, however, said that they would keep book account of the amount to be paid the men in case the law was held valid.[3]

The 640 general chairmen met in Chicago early in January to consider the situation.[4] After thorough discussion they decided to wait a reasonable time for the decision of the Supreme Court, and after adopting a resolution opposing compulsory investigation and arbitration, they adjourned. On the following day the brotherhood chiefs issued a statement in which they expressed their belief that the probability of a general strike to force the acceptance of an eight-hour day was very remote.[5]

Two months dragged by, and the decision of the court was not forthcoming. Gradually the murmurings of the men at the delay changed to vigorous protests. Early in March rumors were in circulation that the Supreme Court might soon adjourn until fall without handing down an opinion. This stirred the men to final action. The chairmen were hastily summoned to meet at designated centers throughout the country, and a secret order was sent out telling the men to prepare for a strike.[6]

[1] Joint Statement by Union Leaders, known as form no. 49, Dec. 6, 1916.

[2] *Information Quarterly*, vol. ii, no. 4, January, 1917, p. 640.

[3] Joint Statement by Union Leaders, known as form no. 52, Dec. 28, 1916.

[4] *Railway Conductor*, vol. xxxiv, no. 2, February, 1917, pp. 133–34.

[5] *Ibid.*

[6] Joint Order by Union Leaders issued on March 10, 1917.

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The public got its first intimation regarding this new turn of affairs on March 12, but little credence was given to the stories until two days later, when the union leaders publicly announced that their men would quit work on the following Saturday, March 17. Suddenly the public awoke to face a national crisis in transportation.

Congress had again adjourned without passing protective legislation of any kind, and President Wilson was even more helpless than he had been in the preceding summer, because at that time he was able to call upon the national legislative body. The country was nervous and excited at the prospect of war with Germany. In fact, the very imminence of war, said the brotherhood leaders, was the reason for striking at this time, for the prospect of establishing an eight-hour day after hostilities were once declared would be very remote. The leaders attempted to fortify their position by promising that in case war was declared the strike would be terminated at once.

The unions planned a progressive walkout beginning Saturday evening in strategically located freight centers; by the following Wednesday, if the roads had not come to terms, the entire country was to be tied up.

For two days the country shivered with apprehension. Gradually all eyes turned toward the President, for everyone knew that whether or not he had authority to prevent the strike, he would make every effort to do so. He discussed the question at the cabinet meeting on Friday, and a few hours later sent messages to both sides urging a re-opening of the issues. A committee of mediation, consisting of members from the Committee of the Council of National Defense, left Washington for New York to offer their services.

Conferences were held continuously throughout Friday night and all day Saturday, but little headway was made until late in the afternoon, when the unions announced their willingness to delay the strike forty-eight hours. Telephones and telegraphs were instantly utilized to notify the men so as to prevent any interruption of service. Meetings continued throughout most of the night and all day Sunday. Sunday night shortly after twelve o'clock the operators announced their willingness to con-

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cede the eight-hour day. In their formal letter to the mediators, the managers expressed the reasons for capitulation as follows: [1]

> In the national crisis precipitated by events of which we heard this afternoon, the national conference committee of railroads join with you in the conviction that neither at home nor abroad should there be fear or hope that the efficient operation of the railroads of the country will be hampered or impaired.
>
> Therefore, you are authorized to assure the nation there will be no strike, and as a basis for such assurance we hereby authorize the committee of the Council of National Defense to grant to the employees who are about to strike whatever adjustment your committee deems necessary to guarantee the uninterrupted and efficient operation of the railroads as an indispensable arm of national defense.[2]

The next morning the United States Supreme Court affirmed the legality of the Adamson Law by a vote of 5 to 4.[3] Chief Justice White in delivering the majority opinion stated that the measure was both an hours-of-service act and wage regulation, and that Congress had ample power to provide for both these features. To say that the national legislative body had no authority to enforce a settlement when the railroads and men refuse to adjust their differences, said the Chief Justice, would be to hold that private rights had destroyed public rights.[4] He explained that Congress had ample power to compel arbitration in cases which threatened to interrupt national traffic.

While the decision itself was robbed of its immediate importance by the previous surrender of the roads, yet there is no doubt that the verdict opens a new epoch in congressional labor legislation and paves the way for still further enactments.

[1] *Morning Oregonian* (Portland, Ore.), March 19, 1917, p. 1.

[2] The mediators awarded the men the same concessions they were to receive under the Adamson Law. See Joint Settlement award by the Committee of the Council of National Defense, March 19, 1917.

[3] Opinion of Supreme Court of the United States in the case of Francis M. Wilson, United States Attorney for the Western District of Missouri, Appellant, *v.* Alexander New and Henry C. Ferris, as Receivers of the Missouri, Oklahoma & Gulf Railway Company, March 19, 1917. Reprinted by the Chamber of Commerce of the United States, 1917.

[4] *Ibid.*

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There is one phase of the eight-hour question that is as yet incomplete. That is the work of the commission appointed by the President to investigate the effects of the new law.[1] This commission has been greatly hampered in its activities by the court litigation referred to above, and it was not until after the Supreme Court had given its final ruling that anything like a definite mode of procedure could be devised. Even yet plans are more or less tentative, but some idea of the great amount of work which the body has before it, is seen in an outline furnished the writer by E. E. Clark, one of the commissioners. He said in part:

We hope to show the amount of wage increase for each road, for each occupation and for each class of service; the percentage relation of these increases to the total payroll in each class and for the road as a whole, and also the percentage relation to the total and net operating revenues of the carriers, individually and collectively. We hope to show, for each of the classes of service and occupations, the average number of miles and the average number of hours per run, thus showing how near to the twelve and a half miles per hour basis the actual average speed is in various sections of the country, on divisions of varying densities of traffic and on single and double-track divisions. We propose an analysis, for each class of service and occupation, of the extent of the overtime payments and the arbitrary allowances under present methods of operation.

We plan to show by classified tables of wages, hours and miles run, by occupations, how many of the men working exclusively in passenger, freight or yard service during a given month, earned specified monthly wages, and what service, measured in miles and hours, was performed per man by those in each of the wage classes.

We had thought of making a study of the tonnage of trains in relation to speed and delays, with the idea of showing the growth of the train load as a means of economy in conducting transportation, it being strongly urged that this has caused a sacrifice of the shorter work day for the employees. We will be able to show the result of an analysis of the freight trains reported and the effect of density of traffic and loading on the movement of trains, together with some analysis of the character and extent of delays to various kinds of freight trains.

[1] On October 5, the President announced the appointment to this commission of Major-General George W. Goethals, Hon. E. E. Clark and Hon. George Rublee.

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We plan to trace the growth of wage schedules from their early simplicity to their present complex form. The method of wage payment here considered is probably the most complicated in existence. On account of time limitations it will be necessary to confine this study to selected roads.

We hope to show an impartial picture of how engine and train crews work, as compared with men in other vocations; the accident death rate as compared with that in other employments; and the training and physical tests required. We do not anticipate showing anything new in this connection, but the facts should, we think, be clearly outlined, if possible, in our report.

We hope to show, for certain divisions or roads, the conditions that would have to be met to carry out the theory that the railroads could avoid the overtime penalty by speeding up their trains.

No one can survey the plans of the commission without realizing the gigantic task which they have assigned to themselves. The completion of even a major portion of the work would be of inestimable value in judging correctly future controversies between the railroads and their employees. The only cause for apprehension at present is that neither the funds nor the time at the disposal of the commission will enable it to accomplish half that it now proposes.

VII. Summary

To look back over the struggle and criticize it fairly is not an easy task. There have been so many maneuvers and countermaneuvers, such shiftings of lines of attack and defense, that it is difficult to see clearly the issues at stake. The writer is inclined to believe that at no time were the employers prepared to withstand an extensive strike. They hoped, through the pressure of public opinion, to force the brotherhoods to arbitrate their demands and the "contingent proposition" of the managers.

The fact that nearly half a million dollars was spent in "educating the public" is indicative of the importance placed upon this mode of procedure. The failure of the operators may be laid to two chief causes: First, a considerable portion of the American public believes in an eight-hour day, and while many heartily disapproved of the use of the strike to bring such a

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change about, yet they were pleased to see the new day established. Second, the roads made a fatal mistake in refusing to submit a definite counter-proposition to the men at the beginning of the June Conference. The skilfully worded "contingent proposition" sounded well to the ears of the public, and might conceivably have made a favorable impression upon the neutral members of a board of arbitration, if untutored in railroad technique; but the brotherhood leaders saw therein limitless opportunities for manipulation. The writer believes that the managers' insistence upon it, more than anything else, antagonized the men and determined them to fight to a finish.

Although the final settlement was a compromise of their original demands, the men greeted it as a glorious victory.[1] This was not without reason. Never before in the history of industrial warfare have 400,000 employees received an eight-hour day without a reduction of wages, the loss of an hour of work, or the expenditure of a cent of strike money. The trainmen's success stands as the high-water mark in achievements by American trade unions. The methods used were those common to labor organizations in our present stage of industrialism, being neither better nor worse than those employed by the vast army of labor, union and non-union. The explanation of the results which the men secured is found not only in the native strength of the brotherhoods, but in a fact frequently referred to by President Garretson, namely, that in order to be successful, a concerted movement by a body of laborers must take place at the "psychological moment." The brotherhood leaders showed genuine skill in selecting their time for action. Business was good. Railroad revenues were the highest in years. Skilled labor was scarce. The cost of living was steadily increasing, and finally, American public opinion was distracted by foreign affairs. Not in the last half-century, in all probability, has there been a time more auspicious than that chosen by the unions for the railroad men to try conclusions with their employers.

[1] The greatest drawback is that the unions have doubtless arrayed against them a large portion of the public press.

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From the standpoint of the public, the controversy has been full of excitement. Twice our transportation facilities were brought to the verge of paralysis. Such machinery as existed for handling industrial disputes proved wholly inadequate. The President, Congress and the Supreme Court were forced to work at white heat to prevent a great catastrophe. For such a condition of affairs the chief blame must ultimately rest upon the public itself, for it has signally failed to safeguard its own interests, and as long as it continues this neglect, it must expect to play the rôle of the innocent bystander. According to the Supreme Court, Congress has ample power to provide the necessary protection, and it is the duty of the citizen to see that this is done.

EDWIN CLYDE ROBBINS.

UNIVERSITY OF OREGON.

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BRITISH IMPERIAL PREFERENCE AND SIR ROBERT PEEL

THE chief obstacle in the past to the establishment of a system of commercial preference throughout the British Empire has been the resolute adherence of Great Britain to free trade. But the experiences of war have powerfully stimulated the sentiment in England in favor of greater imperial unity, and of commercial preference as a means of attaining it. It now seems likely that the land of Cobden and Gladstone will abandon free trade and set up a protective tariff that will give preference to the products of her empire.[1] This prospect suggested the following inquiry into the old preferential system in the British Empire, and the circumstances of its decline.

I

Sir Robert Peel never fully accepted the views of his free-trade contemporaries on imperial questions. Though he came to be deeply influenced by the economic doctrines of the Manchester School, he was not prepared to carry them out literally at the expense of the integrity of the British Empire. He was never a "Little Englander" in the sense in which the term may be applied to Cobden or Bright. Nevertheless some of his commercial measures did strike directly at the foundations of the British imperial system, and in the ranks of those who supported him in the great battle of the corn laws were not a few who actually looked forward to the dissolution of the empire as one of the beneficent results of free trade. It is the purpose of this article to show how commercial preference in the British Empire was undermined during his ministry. The story of its fall will not here be carried to its end, since it was

[1] The principle of imperial preference was endorsed by a British Committee on Commercial and Industrial Policy in a report made in February 1917, and by the Imperial War Conference a few weeks later. It should be remarked, however, that preferential treatment may be accorded by other means than tariff discriminations; see Beer, The English Speaking Peoples, chap. vii, and p. 306.

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reserved for Peel's successors to complete the work which he began.

Preference in trade between the various parts of the empire was an integral element of the old British imperial system. That system was reciprocal in its operation upon colony and mother country, for under it each enjoyed privileges and sustained burdens. The restrictions which England placed upon the commerce and industry of her colonies in the seventeenth and eighteenth centuries were justifiable according to the doctrines of mercantilism then prevalent, and were less oppressive to colonial interests, on the whole, than those imposed by other European states upon their dependencies. To some extent, certainly, these restrictions were compensated for by the obligation which the mother country assumed of defending the colonies in time of war, and by the privileges which she extended to various colonial interests.[1] The statesmen of the old empire rested their case ultimately upon national power; their system was consciously contrived and administered to secure that end. Their ideal was the creation of an imperial state that should be economically self-sufficing, commercially independent of the rest of the world.[2] They thought in terms of nationalism and of an international rivalry that was certain to explode from time to time in international war. The cosmopolitanism and pacifism of the Manchester School would have seemed to them utopian. They held national defense to be more important than individual prosperity, and, in the classic phrase of Francis Bacon, they subordinated "consideration of plenty" to "consideration of power." To attain their ideals they were prepared to impose economic burdens upon the mother country as well as upon the colonies. Their conception of a self-sufficient empire happened to be associated with the political ascendency of England over the colonies, but it would have been equally compatible with the organization of the empire as a federation of self-governing communities.[3] Their

[1] Beer, Old Colonial System, part i, vol. i, chap. ii.

[2] Osgood, American Colonies in the Seventeenth Century, vol. iii, pp. 193–195.

[3] The same ideal is entertained today by many British imperialists who have no desire to subordinate the dominions to Great Britain.

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purposes, though never fully realized, did not cease to be cherished in England until the whole mercantile system lay in ruins, shattered by the assaults of the commercial and industrial middle class, pursuing a self-interest which they insisted was "enlightened," and armed with the weapons of reason forged by the economists of the *laissez-faire* school.

It has sometimes been stated or implied that the old colonial system "fell" in consequence of the American Revolution.[1] It cannot be denied that the loss of the thirteen colonies convinced some Englishmen that the colonial relationship could not be permanent; and a number of advanced thinkers, fortified by the fact of successful revolt, ventured to repeat and elaborate upon Adam Smith's doctrine of the "uselessness" of colonies.[2] But it is easy to exaggerate the immediate influence of their utterances. The "discovery" that the colonies they had fought to keep were after all not worth having may have softened the sting of defeat in the breasts of a few British statesmen as they surveyed the dissevered fragments of their old empire, but it did not lead to any abrupt change in imperial policy.[3] The traditions of expansion and imperialism, moreover, were stimulated by the Napoleonic War and the colonial acquisitions of Great Britain which resulted from it. The old system was gradually modified and relaxed after the Revolution, but it was not as a whole abandoned until the triumph of free trade.[4] "The Colonial System," said Cobden in 1842, "with all its dazzling appeals to the passions of the people, can never be got rid of except by the indirect process of free trade, which will gradually and imperceptibly loosen the bonds which unite our colonies to us by a mistaken notion of self-interest."[5]

II

There were two sides of intra-imperial preference. There was discrimination in favor of colonial as against foreign pro-

[1] *E. g.*, Hertz, Old Colonial System, pp. 199, 203, 209–210.

[2] *Ibid.*, chap. x, *passim*.

[3] Shortt, Imperial Preferential Trade, p. 24.

[4] Earl Grey, Colonial Policy of Lord John Russell's Administration, vol. i, pp. 6–7.

[5] Morley, Life of Cobden, vol. i, p. 230.

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ducts in the mother country; and there was discrimination in favor of British, including British colonial, products as against foreign products in the colonies. The principle that imports from the colonies should receive more favorable treatment in England than those coming from foreign countries goes back to the beginnings of English colonization.[1] In 1660 a tariff known as the "Old Subsidy" gave marked preference to certain colonial products, the so-called "enumerated articles," whose exportation from the colonies was by the law restricted to England, the preference being intended as a partial compensation for the restriction.[2] It was so effective that the favored colonial commodities secured a virtual monopoly of the English market.[3] Preference was subsequently extended widely to other colonial products than those which were "enumerated." In 1840 there were more than eighty articles in the British tariff schedules upon which differential duties were levied in favor of the produce of the colonies.[4] These duties, of course, had the effect of raising the prices in England of the commodities upon which they were imposed.[5]

Peel's tariff of 1842 reduced the duties upon many foreign imports, and it has generally been spoken of as a free-trade measure. Yet it not only retained but extended the principle of colonial preference.[6] In arguing against that feature of it, Lord Howick, a free-trade Whig, asserted that the Government proposed to carry preference "to an extent never yet contemplated."[7] It was agreed by most of those who took part in the debates on this tariff that the preferential system was essential to the pre-

[1] Beer, Origins of the British Colonial System, chap. iv.

[2] 12 Car. II, c. iv.

[3] Beer, Old Colonial System, part i, vol. i, pp. 128–138.

[4] Parliamentary Papers, Reports from Committees, 1840, vol. ii, no. 2, pp. 196–197.

[5] For much testimony to this effect, see Parliamentary Papers, Reports from Committees, 1840, vol. ii, no. 2, *passim*. The writer of a pamphlet entitled "The Preference Interests" (London, 1841) estimated that the differential duties on sugar, coffee and timber alone amounted to a tax of £5,000,000 annually upon British consumers.

[6] Holland, Fall of Protection, p. 104.

[7] Hansard, third series, vol. 63, p. 513.

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servation of the empire. In opposing a resolution against its extension Peel gave expression to this view. He asked:

> What is the principle for which the noble Lord contends? The principle is this: that you shall treat your colonies without discrimination, as foreign countries in this respect . . . If that principle be correct there is an end of your colonial system. . . . If you sanction this proposition, then you ought also to say, let the colonies assert their own independence, and provide for their own maintenance.[1]

Preference was upheld by a vote of 281 to 108.[2] The tariff of 1842 embraced some 825 items, and upon no fewer than 375 of them differential duties were levied in favor of the colonies.[3] Thus it is clear that at the beginning of Peel's ministry the principle of colonial preference was still unshaken in Great Britain.[4]

Turn now to the other side of the preferential system. From the outset of the colonial movement in the seventeenth century colonies were viewed as markets for the manufactures of the mother country.[5] Their consumption of the products of foreign countries was restricted by laws that confined their trade to English shipping, and prohibited their importation of continental European commodities unless laden in England.[6] These laws did not, however, prevent free importation into English colonies of the produce of foreign colonies, so long as it was carried in English or English colonial ships. During the eighteenth century Parliament occasionally gave preference to British

[1] Hansard, third series, vol. 63, p. 546.

[2] *Ibid.*, pp. 541–542, 549.

[3] 5 & 6 Vict., c. 47. In 1840 a select parliamentary committee on import duties had recommended revision of the whole system of differential duties and reduction of colonial preference. Their recommendation was not observed in framing the tariff of 1842.

[4] A member of the House of Commons who supported preference said of the act of 1842, "I approve of all the principles upon which this tariff has been framed: Prohibition repealed, moderate duties substituted, the differential principle extended, and the degrees of protection revised and modified." Hansard, third series, vol. 63, p. 1305.

[5] Beer, Origins of the British Colonial System, pp. 72–73.

[6] 12 Car. II, c. 18 and 15 Car. II, c. 7.

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colonial products in the markets of other British colonies by imposing differential duties upon competing foreign commodities. For example, in the interest of the British West India sugar planters it laid high protective duties in the North American colonies upon sugar, molasses and rum produced in the foreign West Indies. To enforce such legislation, however, was always difficult and often impossible.[1]

It was not until foreign shipping was admitted to trade with the colonies that Parliament began systematically to regulate their commerce by means of colonial tariffs. An act passed in 1822 permitted certain commodities to be imported into British American colonies from foreign countries or colonies in America in ships belonging to the country in which they were produced as well as in British ships, and laid duties payable in the ports of the colonies upon specified articles when so imported.[2] These duties, it should be remarked, were imposed not for the purpose of revenue, but for the regulation of trade. They involved no departure, therefore, from the principle laid down in the "Declaration Act" of 1778, in which Parliament had disavowed the intention for the future of raising a revenue in the American colonies.[3]

The act of 1822 conceded to vessels of the United States a privilege not granted to the shipping of any European country. Huskisson, who became a member of the British ministry in 1823, was in favor of extending it to foreign vessels in general, and legislation enacted in 1825 embodied his policy. Henceforth foreign ships were permitted to import the products of the countries to which they belonged into British colonies and to export thence the produce of those colonies to any foreign

[1] 6 Geo. II, c. 13; 4 Geo. III, c. 15; 6 Geo. III, c. 52; Beer, Commercial Policy of England toward the American Colonies, chap. vi.

[2] 3 Geo. IV, c. 44.

[3] This act (18 Geo. III, c. 12), passed in pursuance of Lord North's policy of conciliation with the revolted colonies, was a virtual pledge that Parliament would not again impose any tax upon the American colonies, except for the regulation of trade. It was clearly intended to bind future parliaments in this respect, but as Prof. Dicey has shown, no parliament can legally bind its successors; Introduction to the Study of the Law of the Constitution, chap. i. However, the pledge of 1778 has not, in fact, been violated.

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country, provided the country to which the ship belonged granted reciprocal privileges to British shipping.[1] In the same year a "possessions act" was passed by Parliament to regulate the trade of the colonies. It contained a "table of prohibitions and restrictions," in which articles were enumerated whose importation into the colonies was forbidden or restricted, and a "table of duties" in which were specified duties levied upon foreign goods. Articles not enumerated were charged with duties of fifteen per cent, while a few imports were expressly exempted from taxation.[2] A subsequent "possessions act" of 1833 laid duties upon spirits manufactured in the United Kingdom or in any British colony in America or the West Indies, when imported into Canada or Newfoundland.[3]

In 1842 important changes were made in the colonial customs. Gladstone, president of the Board of Trade in Peel's ministry, in explaining the alterations proposed by the Government, informed the House of Commons that the parliamentary duties then levied upon goods imported into the British colonies in America could not be justified "either with regard to the interests of the revenues of the colonies themselves, or with regard to the principles laid down by Parliament with respect to its colonial legislation." He pointed out that in the Asiatic dependencies of the Crown the protective duties in favor of British manufactures were low, while in the American colonies they were so high as to be often prohibitory. Speaking for the Government, he proposed to abolish all existing parliamentary duties levied upon British goods imported into the colonies, chief of which were those on spirits, not because it was undesirable to tax spirits, but on the ground that such taxes were unnecessary, and scarcely compatible with the principle of the Declaration Act of 1778. As the law then stood taxes were laid, moreover, upon many foreign products imported into the colonies which did not compete with those

[1] 6 Geo. IV, c. 105.

[2] 6 Geo. IV, c. 114. All duties collected in the colonies under this act were to be paid into the colonial treasuries in accordance with the principle of the act of 1778.

[3] 3 & 4 Gul. IV, c. 59.

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of the mother country, and which could not, therefore, be called taxes for the regulation of trade. Gladstone proposed to select those articles which it seemed desirable to tax for the regulation of trade, and to permit the free importation of all others.[1]

The "possessions act" of 1842 substituted new duties for those previously in force in the colonies and added to the list of exemptions. Upon foreign imports not specifically enumerated or exempted, it lowered the rate of duty to four per cent. Colonial legislatures were permitted to lay duties for revenue up to five per cent upon British products, and upon such foreign goods as were not taxed by the imperial parliament. The act provided, however, that if any colony imposed a higher duty upon a British product than was charged upon the foreign product, the imperial duty upon the latter should be increased by the amount of the difference.[2] The act of 1842 thus made important alterations in the colonial customs, but it retained the principle of imperial preference.[3] It is clear, therefore, that at the beginning of Peel's ministry the preferential system was intact in the colonies as well as in the mother country.

III

The budget of 1844 involved no such conspicuous alterations in taxation as its more famous predecessor of 1842. It is, however, of significance in the subject with which this article deals, for it shows a willingness on the part of the minister who had come to power as a protectionist, to relax the preferential system. In the financial statement of 1844 the chancellor of the exchequer proposed to remove entirely the duty on foreign wool.[4] Despite warnings from the protectionist benches that Peel and his colleague were taking a dangerous step in the di-

[1] Hansard, third series, vol. 60, pp. 150–156.

[2] 5 & 6 Vict., c. 49.

[3] A subsequent "possessions act" was passed in 1845, but it made no material changes in the rates of duty (8 & 9 Vict., c. 93).

[4] The tariff of 1842 had laid duties of 1d. per pound on foreign wool worth 1s. or more, and ½d. on foreign wool of less value; it admitted colonial wool duty-free. The customs act of 1844 (7 & 8 Vict., c. 16) repealed the duties on foreign wool.

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rection of free trade, the abolition of the tax encountered no formidable resistance in Parliament. Many British wool growers accepted the Government's assurance that it would not prove injurious to them.[1] The interests of the Australian wool growers, however, were not wholly overlooked in Parliament. Mr. Miles, one of the leading protectionists in the House of Commons, called attention to the extraordinary increase in recent years in the growth of Australian wool and its importation into the United Kingdom. The quantity brought in had increased from 2,493,337 pounds in 1831 to 17,483,783 in 1843—and this, said Mr. Miles, under the slight degree of protection afforded by the low duty on foreign wool. The remission which the Government proposed was small in amount, he admitted, "but it showed which way the wind blew."[2] In the House of Lords, the Duke of Richmond, one of England's greatest landlords and flock-masters, predicted serious injury to Australian as well as to British wool, if the Government carried their proposal. Gladstone admitted that the abolition of the duty might have "a depreciating effect on the price of Australian wool." But, while conceding the claims of distant colonies to consideration in the British customs, he held that in this case "they were trivial as compared with the great value of the change to the manufacturers of wool."[3] The fact is that the abolition of this duty, like the repeal of the corn laws two years later, was a measure in the interest of British manufacturers and consumers which disregarded immediate colonial interests. It did not, however, have the depressing effect upon Australian wool that had been predicted. John Bright asserted in the House of Commons in 1845 that it was "unanimously allowed" that the repeal of the duty had injured neither British nor Australian wool growers, and his statement was not challenged.[4]

The preference previously enjoyed by colonial coffee, while not abolished, was materially reduced in 1844. Under the tariff

[1] Hansard, third series, vol. 74, pp. 1286, 1288.

[2] *Ibid.*, pp. 1288–1290. [3] *Ibid.*, p. 1286.

[4] *Ibid.*, vol. 80, p. 321. The gross importation of wool into the United Kingdom from the British possessions increased from 21,132,352 pounds in 1843 to 37,333,104 pounds in 1847; Parl. Papers, sess. 1905, cd. 2394, pp. 106–107.

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of 1842 it paid 4d. a pound upon importation into the United Kingdom as against 8d. paid by foreign coffee. The Government now proposed to reduce the latter tax to 6d., leaving a differential duty of only 2d. in favor of the colonial product. A free-trade member of the House of Commons, Mr. Ewart, moved to equalize the foreign and colonial duties at 4d., frankly avowing that he was aiming a blow at the entire preferential system. "He was the enemy of such duties, for they were unsound in principle, and he was satisfied they could not long continue." He even denied that in the long run preference was of benefit to the colonial coffee planter. It created a temporary prosperity for him, it was true, but it rested upon an insecure foundation that must eventually give way.[1] He found a special reason for advocating cheap coffee in the pleasing expectation he had formed that it would reduce the consumption of spirits, and promote sobriety among the working classes. The chancellor of the exchequer defended the Government's proposal on the ground that it would benefit the British consumer and at the same time preserve to the colonial coffee grower a fair degree of protection.[2] Under the operation of the act of 1844, however, the quantity of colonial coffee consumed in the United Kingdom was not diminished, nor was the amount of foreign coffee materially increased.[3]

Substantial modifications were made in 1844 and 1845 in the preference enjoyed by sugar, the most important colonial product.[4] Until 1844 foreign sugar had been virtually excluded from the British market by prohibitive duties. Prior to the emancipation of the slaves throughout the empire, which took place in 1834, the West India colonies had been able to do

[1] Hansard, third series, vol. 74, pp. 1271, 1273–1274.

[2] *Ibid.*, pp. 1279–1280.

[3] Parl. Papers, sess. 1846, vol. 44, no. 1, p. 2; *ibid.*, sess. 1847, vol. 59, no. 1, p. 2. For the years 1843 to 1847, inclusive, the gross importation of colonial coffee, expressed in pounds, was 18,277,335; 24,099,613; 23,235,102; 24,286,464; 34,301,316. For the same years the gross importation of foreign coffee was 20,665,134; 22,423,575; 27,142,813; 27,527,187; 21,052,728; Parl. Papers, sess. 1905, Cd. 2394, pp. 106–107.

[4] The sugar duties were not included in the general tariff acts. They were levied annually by separate acts.

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more than supply the British demand. But the effect of emancipation was to reduce the production of sugar in the islands, and, in order to insure an adequate supply for British consumption, Parliament presently lowered the duties on British East Indian sugar, with the result that large quantities of it were brought into the British market.[1]

Anticipating an increased demand for sugar in the United Kingdom, Peel concluded that a larger supply ought to be made available for home consumption. He was, however, unwilling to permit the importation of foreign sugar cultivated by slave labor, or to leave the British West India planters, who had suffered severely in consequence of emancipation, without a fair degree of protection. He proposed accordingly to retain the duty of 24s. on British colonial sugar, and the prohibitive tax of 63s. on foreign slave-grown sugar, but to lower the duty on foreign sugar the produce of free labor from 63s. to 34s. He expected that by virtue of this reduction considerable quantities of free-labor sugar would be imported from Java, Manila and China, whereas the slave-grown sugar of Brazil and Cuba would still be excluded. The chancellor of the exchequer, who was in charge of the bill, did not deny that its effect would be to check a rise in the price of sugar in England, but he warned the sugar interests that in the long run the worst evil that could befall them would be a marked advance in the cost of their staple to the English consumer. From the language he used the West India planters were justified in assuming that the amount of protection which the Government proposed to leave them would be permanent, or at least that it would not speedily be still further reduced.[2]

The proposed alterations in the sugar duties were opposed in the House of Commons for different reasons by free-trade Liberals and protectionist Conservatives. The Liberal leader, Lord John Russell, was in favor of admitting all foreign sugar, whether the produce of free or of slave labor, at 34s., and ob-

[1] 6 & 7 Gul. IV, c. 26. This act equalized the duties on sugar grown in the East and the West Indies at 24s. per cwt.

[2] Hansard, third series, vol. 75, pp. 161, 167.

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jected to a differential duty based upon what he called a new principle, the principle of morality in international trade.[1] Mr. Ewart, opposed to differential duties on general principles, desired to see the distinction between colonial and foreign sugar entirely done away with. Mr. Miles, speaking as a staunch protectionist and in behalf of the colonial sugar interests, insisted that the reduced degree of protection contemplated by the Government was insufficient. When the House went into committee on the sugar-duty bill the opposition that developed was strong enough to defeat the provision by a vote of 241 to 221. Peel, however, refused to accept amendment, and by what amounted to a threat of resignation he compelled the House to reverse its vote and pass the bill.[2]

Further changes were made in the sugar duties in 1845. The tax on colonial sugar was reduced from 24s. to 14s. and that on foreign free-labor sugar from 34s. to 23s., while the prohibitive tax of 63s. was retained on foreign slave-grown sugar.[3] A resolution to abolish the colonial preference by equalizing the duties on foreign and colonial sugar was supported by some of the free traders, but was decisively beaten by a vote of 217 to 84. The acts of 1844 and 1845 did not greatly increase the consumption of foreign free-labor sugar, and the colonial product still retained a virtual monopoly of the British market.[4]

IV

The preferential system received its first severe shock at the hands of Peel in his commercial legislation of 1846, especially in the alterations then made in the corn laws and the timber duties.[5] In the case of the corn laws colonial preference had

[1] Hansard, third series, vol. 75, p. 170.

[2] 7 & 8 Vict., c. 28. The duties referred to above were those levied upon unrefined brown sugar, described as "muscovado or clayed."

[3] 8 & 9 Vict., c. 5.

[4] Parl. Papers, sess. 1846, vol. 44, no. 1; *ibid.*, sess. 1847, vol. 59, no. 1; *ibid.*, sess. 1905, Cd. 2394, pp. 126–127.

[5] It is, of course, impossible within the compass of this article to explain the precise effects upon the preferential system of all the numerous changes in the British customs made during Peel's ministry.

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never been of primary importance. Their main purpose had long been the protection of British agriculture from external competition. When Peel took office in 1841, this policy was still adhered to. The importation of grain was then regulated by an act passed in 1828, whereby the duties on foreign cereals were arranged on a sliding scale, varying inversely with their prices in the British market. In the case of foreign wheat the act imposed a duty of 1s. per quarter when the price stood at 73s. or above, a duty which rose as the price fell, reaching 25s. 8d. when it was between 61s. and 62s.; for every shilling or fraction thereof by which the price-fell below 61s. the duty was increased by one shilling.[1] The average duty on foreign wheat for the ten years ending in 1841 was 30s. 8d., high enough virtually to exclude it from the British market.[2]

Though the act of 1828 was a Tory measure, the Whigs permitted it to stand unaltered during their tenure of office from 1830 to 1841. Its principal beneficiaries were the landlords, and the Whig party, as has been truthfully said, was a landlord party only one degree less than the Tory. The conviction was rapidly gaining ground, however, especially among the middle and lower classes, that the social misery then prevalent, the "condition-of-England-question," as Carlyle called it, was in large measure attributable to the corn laws; and the propaganda of the Anti-Corn Law League kept the question of reform constantly in the public mind.

Peel's corn law of 1842 revised the grain duties downward, but preserved the protective principle and the sliding scale.[3] Under it the duty on foreign wheat rose from 1s. to 19s. as the price fell from 73s. to 51s., and remained constant at 20s. for all prices below 51s. For the year 1843 the average price of wheat was 50s. 1d., so that the average duty was 20s. Under the act of 1828 it would have been 36s. 8d.

The legislation that has been described gave preference to colonial grain. Under the act of 1828 colonial wheat paid 5s.

[1] 9 Geo. IV, c. 60. The sliding scale was applied also to the duties on foreign barley, oats, rye and other grain.

[2] Spencer Walpole, Life of Lord John Russell, vol. i, p. 368.

[3] 5 & 6 Vict., c. 14.

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when the price was below 67s., and was admitted at a nominal duty of 6d. when it rose above that figure. For the ten-year period ending in 1840 the average duty on colonial wheat was only 5s. Despite this seemingly great preference, however, very little of it was actually imported, and British agriculture enjoyed a substantial monopoly of the home market. How little the preference really benefited the Canadian farmer is shown in a petition adopted by the assembly of Upper Canada in 1840:

> Your Majesty's faithful Commons are aware that the products of these colonies are admitted into the ports of the mother country at a duty of 5s. per quarter, when wheat is below an average of 67s. per quarter, but from the expense of transportation from the interior to the sea, and thence to the United Kingdom, experience proves that they derive very little advantage from this protection.[1]

Under the corn law of 1842 colonial wheat was admitted at uniform duties of 1s. for prices at or above 58s., and 5s. for prices below 55s., while for intermediate prices duties were arranged on a sliding scale. For the year 1843, therefore, the average duty on colonial wheat was 5s., as against 20s. paid by the foreign product.

In that year, however, an extraordinary preference was granted to Canadian wheat and flour. Since 1831 wheat grown in the United States had been admitted into Canada duty-free. Considerable quantities of it had been imported into the province and there manufactured into flour, which was exported to the United Kingdom, where it was admitted at the preferential duty payable on colonial flour.[2] British agricultural interests objected, not unnaturally, to this indirect importation of foreign wheat in the form of colonial flour, and the "possessions bill" of 1842, as originally introduced, placed a duty of three shillings on foreign wheat entering Canada. But in Canada the opposition to this provision was so strong that it was dropped from the bill. Then, by virtue of an agreement reached by the

[1] Canada and Its Provinces, ed. by Shortt, vol. v, p. 190.

[2] Raw materials brought into the colonies and manufactured there were treated in the British customs as colonial products; Hansard, third series, vol. 67, pp. 1319–1320.

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imperial and Canadian governments, the parliament of Canada levied a duty of three shillings on foreign wheat entering the province,[1] and the imperial parliament admitted Canadian wheat into the United Kingdom at a fixed duty of one shilling, irrespective of price, and wheat flour at the duty payable upon the quantity of wheat used in its manufacture.[2] This Canada corn law, as it was called, was opposed by a number of agrarian protectionists among Peel's followers, whose fear of Canadian competition was by no means allayed when the Prime Minister assured them that what was intended as a boon to the agriculture of Canada would not prove injurious to that of England. It was also opposed by some Whig free traders who objected to building up new protected interests in the colonies. Lord Howick spoke for this group when he said:

> When the act [the corn law of 1842] should be swept away and gathered into that lumber of old, absurd, repealed measures, what would be the condition of the Canadian merchant who, by the measure the House was called upon to sanction, had been induced to invest his capital in extensive mills for grinding corn, and in making arrangements for forwarding flour to this country? In his opinion the Canadian would have a very good claim upon the Government of this country for compensation.[3]

Lord Howick's party forgot the principle of compensation to colonial interests when they swept away the preferential system!

The law of 1843 had precisely the result predicted. It stimulated milling and transportation in Canada. From October 1843, when it took effect, to January 1846, 1,462,260 hundredweight of wheat flour manufactured in Canada were imported into the United Kingdom, more than was admitted from foreign countries and the other British colonies combined from 1842 to the same date.[4] There is no doubt that political considerations had much to do with this favor granted to Canada, for in view of recent disturbances there the British government was anxious to conciliate public opinion in the colony. The capital

[1] Provincial Statutes of Canada, 6 Vict., c. 31. [2] 6 & 7 Vict., c. 29.

[3] Hansard, third series, vol. 69, pp. 630–631.

[4] Parl. Papers, sess. 1846, vol. 44, no. 130, p. 9.

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invested under the encouragement given by this act in constructing mills and improving transport facilities suffered severely when presently Canadian flour lost its protection in England.[1]

The farmers of Australia, whose only important products were grain and wool, saw no reason why their wheat should not be admitted to the English market on the same terms as that of Canada. Petitions were received from legislatures and governors in Australia asking that the tax on Australian grain be lowered. On May 8, 1845, Mr. Hutt introduced a resolution in the House of Commons for equalizing the duties on Australian and Canadian grain and flour. He called attention to the excellent quality of Australian wheat, and asserted that the great distance of the Australian colonies would not prevent their exporting considerable quantities of grain to England if the duty were reduced. He told the House that Australia viewed the 5s. tax on its wheat as unjust and indefensible, and warned the Government that it was unwise to arouse a sense of injustice in distant colonies. Said he:

> Up to last year Australian wool had a protection in the British market of 1d. per pound as against foreign wool. You took that protection off last year, in accordance with the principle of sound policy and scientific legislation. The Australians lost their monopoly. They never complained of it. But they do complain, loudly and indignantly complain, that whatever turn you take they are always sacrificed to your policy. You remove the duty from European wool, and tell the Australian farmer that the proceeding is required by the principles of free trade; and then you insist on charging a duty of twenty per cent upon his corn, and justify your conduct on the principle of protection and monopoly. What are the people of our Colonies to think of the justice and consistency of the British Government? . . . The right Hon. Baronet may probably observe, by and by, a "cloud" rising in the southern horizon. Do not complain if it be so. You have taught the people of Australia how to ensure attention to their demands; you may some day reap the harvest of your act.[2]

[1] Canada and Its Provinces, *op.cit.*, vol. v, pp. 196–197; Allin and Jones, Annexation, Preferential Trade and Reciprocity, pp. 12–13; Earl Grey, Colonial Policy of Lord John Russell's Administration, vol. i, pp. 220–221.

[2] Hansard, third series, vol. 80, pp. 295, 340.

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Notwithstanding the evident justice of the Australian demand, the motion was negatived by a vote of 147 to 93.[1]

On January 27, 1846, Peel began the great battle for the repeal of the corn laws. He proposed to admit all foreign grain at the nominal duty of 1s. per quarter after February 1, 1849, until which date temporary duties were to be arranged on a new sliding scale. Colonial grain was to be admitted at once at the one-shilling duty.[2] His plan, therefore, contemplated the abolition of the colonial preference in grain at the end of three years.[3]

The preferential feature of the corn laws, as has been said, had been merely incidental; the taxes on grain had not been designed, like the sugar duties, primarily to protect colonial interests. It is not strange, therefore, that in the debates on Peel's measure comparatively little was said about the colonies or the preferential system. A few members, however, chiefly among the opponents of the bill, did dwell upon its imperial aspects.

The argument that free trade would destroy the colonial system and lead to the dissolution of the empire was presented most effectively by Lord Stanley. He had held the office of colonial secretary in Peel's ministry, but had resigned because he could not agree with his chief on the repeal of the corn laws. "Destroy this principle of protection," he said, "and I tell you in this place that you destroy the whole basis upon which your colonial system rests."[4] Dissentient peers protested that the corn bill would tend to "sap the foundations of that colonial

[1] Hansard, third series, vol. 80, pp. 340–342.

[2] *Ibid.*, vol. 83, pp. 262–263. The degree of protection which Peel proposed to leave against foreign grain during the interval from 1846 to 1849 was much less than that afforded by the corn law of 1842. On foreign wheat the duty was to vary from 9s. to 4s. as prices rose from 48s. to 53s.; it was to remain fixed at 4s. for all prices above 53s., and at 10s. for all prices below 48s.

[3] For the years 1846 to 1849, inclusive, the annual gross importation of colonial wheat, expressed in quarters, was as follows: 888,114; 100,780; 32,560; 25,401. From foreign countries for the same years it was: 1,343,777; 2,555,673; 2,548,398; 3,819,977. The repeal of the corn laws led to no abrupt fall in the price of wheat in England. For the ten years ending in 1850 the average price was less than that for the preceding decade by only 3s. 8d., while for the next decennial period it rose by 1s. 4d.; Holland, Fall of Protection, pp. 361–362.

[4] Hansard, third series, vol. 86, p. 1165.

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system, to which, commercially and politically this country owes much of its present greatness."[1]

It was suggested that if the experiment of free trade was to be made, it should have been first tried with the colonies, by extending to all of them the principle of the Canada corn law, and preserving colonial preference. Sir Howard Douglas, formerly a colonial governor, and one of the members of Parliament most conversant with colonial questions, enlarged upon the advantages of complete free trade between the United Kingdom and the colonies, with protection against foreign countries. He would have been glad to see the commercial organization of the empire take the form of an imperial Zollverein.[2]

It was asserted with much force by opponents of the bill that it broke faith with Canada, that it would severely injure that colony, and very likely drive it to annexation with the United States. "You are going to break the promises held out to Canada," said Lord Stanley, referring to the act of 1843; "I will say nothing of the shock you will give to the loyalty of the people . . . You are doing your utmost to irritate them by the breach of your engagement . . . political independence may follow closely upon commercial independence."[3] In the debate on the third reading in the House of Commons, Lord George Bentinck, the leader of the protectionist Conservatives, referred to disquieting news from Canada, and urged that further action on the bill be postponed till full information respecting conditions there had been received. The legislative assembly of the province, it was known, had gone on record as opposed to the commercial policy of the British Government.[4]

Peel did not propose to alter the preference enjoyed by British goods in the colonies, but it was not difficult to show that justice required that this should be done. To quote Lord Stanley again:

[1] Hansard, third series, vol. 87, p. 963. The anti-imperial character of the legislation of 1846 was dwelt upon by the writer of a contemporary pamphlet, "Our Free Trade Policy Examined" (London, 1846). He predicted the loss of Canada and the West Indies as a consequence of free trade.

[2] Hansard, third series, vol. 83, p. 850.

[3] *Ibid.*, vol. 86, pp. 1167–1168.

[4] *Ibid.*, pp. 553–567.

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I presume that if you deprive the Colonies of all the protection they now enjoy, you intend to repeal that Act of Parliament which compels the Colonies to impose a differential duty in favour of your produce. I can conceive no grosser injustice than your refusal to do that . . . Protection is mutual—free trade must be mutual also.[1]

As a matter of fact, soon after Peel's resignation an act was passed by Parliament empowering the queen by order in council to assent to acts of colonial legislatures to abolish the differential duties in the colonies in favor of Great Britain.[2]

The members of Parliament who supported Peel touched but lightly upon the imperial aspects of his bill. No doubt those of them who privately hailed it as the first step toward the disintegration of the empire, believed it expedient not to make public their opinions or hopes. Others, however, undertook to refute the contention that it was based upon anti-imperial principles. The prime minister himself tried to show that it did not involve the abandonment of preference and would not lead to the loss of the colonies. He insisted that discriminating duties would still be left in favor of many articles of colonial production. "Your colonial relations," he said, "are perfectly compatible with the just and cautious application of a liberal policy in the commercial intercourse between the mother country and its dependencies."[3] Lord John Russell remarked that differential duties did not create the only tie between colony and mother country, and said there was no reason to anticipate the dissolution of the empire.[4] Earl Grey, formerly Viscount Howick, went so far as to assert that free trade would actually strengthen the imperial tie. His conception of empire, however, was radically different from that associated with the old colonial system. What he looked forward to was a co-operative alliance between self-governing colonies and the mother country.[5]

[1] Hansard, third series, vol. 86, p. 1170.

[2] 9 & 10 Vict., c. 94.

[3] Hansard, third series, vol. 83, pp. 1036–1037.

[4] *Ibid.*, vol. 86, p. 685.

[5] *Ibid.*, pp. 1307–1309. Earl Grey's argument anticipated the contention of certain contemporary free-trade imperialists in England who insist that free trade is essential to the preservation of the empire; Cunningham, Wisdom of the Wise, lecture ii.

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The corn bill became law on June 26, 1846, and the preference to colonial grain was thereby put in process of speedy extinction.[1] On the same day a tariff bill received the royal assent.[2] The latter affected the preferential system principally with respect to timber. Great Britain had long been dependent upon foreign countries, especially those of the Baltic, for most of its supply of lumber. During the Napoleonic War the duties upon foreign wood had been greatly increased, and in 1813 it paid 65s. per load (50 cubic feet). In 1821 the duty on foreign timber was reduced to 55s., and 10s. were levied upon the colonial product.[3] In 1841 the Whig Government proposed to reduce the colonial preference by lowering the foreign, and raising the colonial duty, but it did not survive to carry its measure. In his financial statement of 1842, Peel proposed to reduce duties on foreign timber for the benefit of British consumers, but insisted that it must be done in such a way as not to injure the lumber industry of the British North American colonies.[4] He proposed, accordingly, to reduce the foreign duty from 55s. to 25s. and at the same time virtually to abolish the tax on colonial wood. Despite the opposition of the Canadian timber interests he persisted in his policy, expressing the conviction that they could continue to compete successfully in the British market with Baltic timber.[5] The tariff of 1842 lowered the duty on foreign timber immediately to 30s., and after 1843 to 25s., while on colonial timber it retained a mere nominal tax of 1s.[6] Thus 24s. became the amount of the differential duty in favor of the colonial product.

The tariff of 1846 materially reduced this preference, providing for the reduction of the tax on foreign timber to 15s. after 1847. The Canadian timber interests at once took alarm, and their case was pleaded, though unsuccessfully, in Parliament. One member of Parliament said that if this measure was to be carried, Canada might as well be presented to the

[1] 9 & 10 Vict., c. 22. [2] 9 & 10 Vict., c. 23.

[3] The duty referred to was that imposed upon undressed timber. Laths, battens, deals etc. were subject to special duties.

[4] Hansard, third series, vol. 61, p. 459. [5] *Ibid.*, p. 1113.

[6] 5 & 6 Vict., c. 47, table a, class v.

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United States. "It would appear," he added, "that Ministers were actuated almost by hostile feelings towards our colonies."[1] Lord George Bentinck warned the House not to tamper with the attachment of that colony to the mother country.[2] Several protectionists, pointing out the importance of the North American timber trade to British shipping, predicted serious injury to the latter by the Government's measure.

The gloomy forebodings of men like Lord Stanley and Lord George Bentinck were by no means fantastic. The press of Canada teemed with protests against the repeal of the corn laws and the reduction of the timber duties; local boards of trade remonstrated; threats of separation from the empire and annexation to the United States were freely and openly made.[3] Lord Elgin, who arrived in Canada at this crisis as governor-general, wrote that among the commercial classes in the colony the conviction was almost universal that they had better be annexed to the United States.[4] In his opinion, however, the proper solution of the Canadian problem was not a restoration of the old system, but a further development of free trade by the repeal of the navigation laws and the extension of commercial intercourse with the United States. But even free traders admitted that the commercial legislation which has been described entailed grievous wrong upon Canada.

When Peel left office in 1846 Great Britain still gave preference to many colonial products. Nevertheless the commercial principles upon which he had acted were ultimately fatal to the whole system of protection, of which preference was a part. One after another the remaining protective duties were removed, until presently the victory of free trade was complete. Its triumph did not, it is true, lead to the results that some of Peel's supporters had hoped for, and most of his opponents had feared. It did not destroy the British Empire. What it did destroy was the old British imperial system.

ROBERT LIVINGSTON SCHUYLER.

COLUMBIA UNIVERSITY.

[1] Hansard, third series, vol. 84, p. 1290. [2] *Ibid.*, pp. 1313–1327.

[3] Allin and Jones, Annexation, Preferential Trade and Reciprocity, chap. i.

[4] Letters and Journals of James, Eighth Earl of Elgin, p. 60.

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THE CHALLENGE OF MID-EUROPE[1]

EVER since the day Bismarck, pursuing his high aim of Prussian hegemony in the evolving German Empire, slammed the door of the Zollverein in the face of Austria, thinkers in the Fatherland have debated the possibility of some sort of economic union with the Hapsburg dominions. To the south of the Austrian boundary, too, the plan of a customs union has found both advocates and opponents. The relative backwardness of Austrian manufactures by comparison with German has prevented a too enthusiastic approval at Vienna, and Hungarian particularism has always been in evidence at Budapest. None the less the question has been one of something more than academic interest in all three of the great states concerned.

During the years when Bismarck for political reasons was excluding Austria, an alternative economic policy presented itself in the development of closer German trade relations with the countries to the west, and during the sixties the Zollverein negotiated with those countries a series of treaties modeled on the Cobden treaty between England and France, and in some degree necessitated by that instrument. During the years since 1870 there has been a similar alternative to the Austro-Hungarian economic alliance—the development of Germany's oversea trade; and the Kaiser's celebrated phrase, "Our future lies upon the water," together with Germany's naval policy of the past twenty years, indicates the triumph of Hamburg and Bremen over the forces of Austrian alliance. But the continental idea, too, has had its victories; the economic conquest of Turkey, and the Bagdad railway scheme as well, mark distinct steps in working out a policy not contingent on the control of the seas. Customs union with the Austro-Hungarian Empire became in this view part of an imperialist scheme of world politics whose economic foundation included among other things the great natural resources of Asia Minor, the corn lands of Hungary, and the factories and applied science of Germany. Both ideas have had their advocates, and the economic and military implications of each have been considered with some care by German writers.

The war abruptly decided the question for the time being, but reopened with new vigor the general debate. German ships were driven

[1] Central Europe. By Friedrich Naumann. London, P. S. King and Son, Limited, 1916.—xix, 354 pp.

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from the sea at the first blow, and direct oversea trade, even in neutral ships, was strangled by the British "blockade." Meanwhile, the adhesion of Turkey and the success of German arms in the Balkans made the continental idea loom larger and larger. The partnership actually in effect between Germany and Austria-Hungary during the past three years, moreover, has been not merely a customs union but a life-and-death joining of economic resources and a military comradeship that has done much to create a consciousness of unity between the peoples such as might not have been attained in decades of peaceful development. Can this war situation be utilized to bring about permanent unification as the kernel of a new super-state, Mid-Europe? It is a political and economic speculation of the highest order and significance for the world's future. Of all the books and pamphlets on the subject, "far and away the most important," to quote Professor Ashley's judgment, is Naumann's remarkable treatise, written in 1915, while the Germans were driving the Russians out of Galicia. If the events of the two succeeding years have modified some of the conditions of the problem, they have not changed its essence, and the astounding proposals of the Allies' Paris economic conference constituted more or less of a reply to the ideas set forth in this and similar works.

The Europe of the future, so runs this German argument, will have two endless lines of trenches and barbed wire stretching north and south, separating the Central Powers from the rest of Europe, marking the possible future lines of fighting. The Central Powers must decide whether they want a transverse ditch between themselves, or whether they will under all circumstances live in peace with each other.

In any case, the day of small and middle-sized states is past. In consequence of the forces of capitalism, power is centralizing in industry and politics alike. London, Petersburg and New York already appear clearly as future centers of sovereignty, and possibly a fourth focal point will develop in Eastern Asia. The Russian empire, based on coercion (the republic in those days was yet to come); the British, based on adaptability and administrative skill; and the American, based on a non-military voluntary co-operation for business ends—these three super-states are continually driven forward by their own weight. They continually draw the little neighbor states into economic and political vassalage. This is the argument of one who would justify the absorption of Belgium and Holland and Denmark, and it finds support in a great body of historical fact. But does it not neglect the growth of that new sentiment in international affairs that has kept us out of Mexico during the painful years of the revolution, that has made of

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Cuba an independent state, that has given self-government to the Boers and made them loyal Britons in a decade, and that has now announced to the world Russia's renunciation of the dream of Constantinople? There is such a thing as liberalism in the world, and the politics that cannot see its operation is only less blind than that which cannot see the workings of national greed and ambition. The small state may indeed be of the past, yet it is hard to believe that the passionate devotion of millions of men to the cause of martyred Belgium is either a monumental display of mere hypocrisy and self-deception or a fact without significance for the coming time when foreign policies, like other government activities, are to be increasingly democratic.

The argument of the advocates of an imperialistic *Realpolitik*—they are by no means all Germans—on this point is not at all new. It was clearly expressed in Germany twenty years ago by Schmoller and others in the agitation for a big navy. The world empires are to become more and more exclusive economically. Even Great Britain is to adopt protection and to shut Germany off from markets and coaling stations all over the earth. Germany in consequence must sink to the position of a small state, the economic vassal of Britain or Russia, or else she must herself enter the first class of world-group powers by union with her southern neighbor and any other states that will come in. These other states can choose only in which group they will serve, for they cannot themselves lead. Grant the premises, and the conclusion is inevitable. But again only a part of the facts are used. In July 1914 tariff reform in Great Britain was dead, and trade liberalism in America had reached the highest point in a half-century. If the fierce nationalism of the war had not been aroused, why might not the development of the next fifty years have been one of growing trade freedom in which Germany would have found full economic scope and not economic dependence? If the war was deliberately brought about by Great Britain, then the iron-ring argument, with its corollary, the inevitable destruction of small states, appears sound. But few persons outside Germany, we imagine, accept that hypothesis, and on any other theory Germany must blame herself with having created the sentiment that threatens to complete for her the economic undoing the war has so well begun.

The thought of 1915 in Germany as to the future, however, was far other than this. With judgment and deliberation, so Naumann conceives, Germany and Austria-Hungary may be united to form the kernel of a new super-state comparable in population, in vigor, in economic and military power, and in self-determining culture, if not in territory

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and resources, with the three world empires already in existence. As to the component parts of the new group, caution is necessary. It must have agrarian territories on its boundaries, an extension of its northern and southern seacoasts, and a share in oversea colonial trade —but just what states will come in, none can say. Only, the union of the leading partners must be quickly consummated, for after another generation, the neighboring nations and colonies that are perhaps still attainable will be lost. This idea, frankly avowed by Naumann, strikes the unsophisticated reader as remarkably like international highway robbery; but perhaps it is easy for the plain man to misunderstand the meaning of the writer-statesman. Be that as it may, though the idea corresponds closely enough with existing international practice all over the world, it fails to take account of imponderables whose weight more and more tips the scales as the nations become more truly democratic.

If political, economic and cultural expansion is frankly avowed as the end, so is war as the means, as matter not of choice but of inescapable necessity. It is a world of super-national contest. Hence Naumann's striking sentences: "Mid-Europe needs children, children, children! This is the presupposition of all prosperity, both military and economic" (page 203). "Now the urgent, heartfelt, beseeching cry must resound, mingled with the ringing of the peace bells, calling to men and women in town and country: beget children!" (page 204). The present war has already created a Mid-European soul; the statesman's task is to give that soul a body. In this he must again follow the great example of Bismarck, who had no confidence in any German unity that was indefinite from the military point of view. As to the necessity of such military unity, in 1848 "nothing was lacking but what we now have in the war, the pressure of foreign events and the strength of the army" (page 51). Hence the importance of the present opportunity. As for the future, during a long period to come the world groups "will struggle to direct the fates of mankind and to secure the product of its labor. Mid-Europe comes forward as one such group, and that a small one, vigorous but lean!" (page 179). Here is *Realpolitik* indeed, a game of universal grab, with success to the strongest sword and the longest pocketbook.

Back of military unity, however, there must be spiritual unity, and the necessary historical consciousness growing out of great events must be supplied in part at least by the historian, who after collecting his facts must "select those which seem to him to promote or obstruct from the standpoint of his ideal of life" (page 40). If such action appear to anyone a perversion of the true uses of history, let him

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only remember that it is a practice almost constantly employed by historians, but for the most part unconsciously used, and almost never, as here, frankly avowed. Combine it with the romantic and idealizing tendency so common among Germans, and you create a mystical faith in national destiny that is capable of almost any achievement—and alas, of almost any infamy as well.

The practical task of building Mid-Europe requires just two things, military union and economic union. All else is superfluous and harmful. The economic union must be fundamentally German, resting on the historically developed German character. Here we encounter one of those distinctive racial characteristics such as have been utilized by every preacher of the superiority of his own kind from the time of Gobineau down. The Germans, we learn, have an intrinsic impulse to organization; in consequence Germany is already on the way to be-become an organized state; by contrast with the individual and lawless capitalism of England she has already developed a second stage of disciplined normal capitalism, a mechanism of work based on trained and educated workers; because of this superiority the German is hated by the other peoples. It must be admitted that this is a bit hard on the rest of us. The conflict of these two types of capitalism, we are told, is at bottom the cause of the present conflict, and the Germans are being confirmed in their method of work by the progress of the war. The German is becoming heart and soul a political-economic citizen, a believer in the organism and not free will.

Now an unbeliever may perhaps be pardoned if instead of crediting all this to a superior capacity for organization he blames it all on a remarkably thorough and efficient militaristic education. Indeed, Naumann himself admits that there is some justice in this charge; because, as he says, "Prussian military discipline influences us all in actual fact." If Germans generally differ from other people, many of us will still persist in believing it due chiefly to differences in education; and despite the present popularity of German military education in this country, and despite its many merits, some of us will still persist in believing it bad education in so far as it has developed an "organizability" that is in essence a prompt uncritical obedience to state authority rather than a rational voluntary co-operation for common ends. If the German militarist thinker then maintains that our ideal is yet inferior to his, we can only reply that for some reason or other the peoples of the earth in increasing measure seem to be preferring our fumbling, criticizing, incoherently organized, democratic way of doing things, and that despite the challenge of war, we are content to await the judgment of history.

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In accomplishing economic union the applied science and economic progressiveness of Germany are to be joined with the art and grace of Austria in supplying the world with beautiful products through the ports of Hamburg and Triest. To accomplish this, it is necessary to speed up the economically unprogressive to the labor rhythm of North Germany. Mid-Europe is to be economically, as in other ways, a glorified Germany, but the scheme has room for non-German elements.

Mid-Europe must be economically independent. The war has shown the necessity and the means. The British "blockade," based on mere abstract economics, a consideration of statistics, failed to take true account of existing stocks of food and materials, and of the powers of substitution and invention. The Central Powers, in the hard school of necessity, have been learning the lessons of a storage system and a system of adaptability with a view to independence.

The transformation wrought by the war is startling. In an economic prison amid a world of enemies Germany has learned that she must regulate production from the standpoint of political necessity. State socialism has made gigantic strides, and Germany has developed an economic dictatorship of government offices advised and supported by those most nearly affected. The Germans glided into this national economic business as if it had always been their natural habit, and the state became at once the purpose and the director of the production process. Even before the war all classes were working for the government two months out of every year, and the enormously increased burdens of the war can be met only by state industrial monopoly, or taxation of syndicates, which is the same thing. State syndicates combined with guarantees for workpeople—such is the necessary program, and if the war should bring about some such industrial organization in Germany, its economic results there would be scarcely less striking than its political incidents in Russia. One need not be a Germanophobe in order to view with profound concern the possible results of such an organization of a world state, politically self-conscious, and "asking only to be secure in the military sense for a further period of the world's history," as Naumann says. What then? Apparently a new war, on the basis of a super-state organized to the end of state aggrandizement. Small wonder that blundering democracies, which regard individual life as the real end of social organization, look on such a proposed organization with terror, and regard it as making their painful experimentation impossible. If this indeed be the true German objective, then does the shuddering reaction of the world outside Mid-Europe become comprehensible and rational enough.

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To return to the task of exposition, production by syndicates will be combined with a system of state storage of necessary food and materials, in order to make future wars of starvation impossible. State storage, of course, involves state buying and selling, because in most cases it is impossible simply to maintain an undisturbed stock of material. Thus there will come a further and hitherto untried form of state socialism. Storage obligations will be laid on the syndicates, and the state itself will look after the storage and sale of non-syndicate products, notably fodder and foodstuffs. The Kanitz proposal as a feature of a storage system is likely to come to enactment almost automatically.

Syndicates, storage and customs are the three outstanding features of the economic life of Mid-Europe. Some sort of customs union is essential. Though mere preferential treatment is much easier to introduce, an actual customs partnership is the thing to be desired, for even with intermediate customs between the two countries, it will mean irrevocable economic union. Owing to the weakness of many Austrian manufacturers, entire free trade is for the present impossible, but a customs partnership, combined with a proper policy of freight rates, will maintain those producers, and at the same time offer the necessary conditions of economic assimilation. As regards both Austria and Hungary, the negotiations will be delicate and difficult, and in order to attain success they must reach out beyond a mere mutual barter of advantages and disadvantages to a joint regulation of foreign markets. It must be confessed that Naumann's scheme here goes somewhat haltingly, for foreign markets do not comport with economic independence. Nations cannot sell without buying, and even a Mid-Europe that extended from the Baltic to Bagdad would find itself economically interdependent with foreign states, just as did the Germany of 1914, though it might be in differing degree. It is a fair question whether commercial progress has not made economic independence impossible even for world empires, except at a sacrifice almost prohibitive. Naumann would doubtless reply that he wants to maintain only the measure of economic independence necessary to guarantee immunity from successful attack, and that such independence is not incompatible with an extended foreign trade. But trade, as the war has shown, plays strange tricks with defense in these days.

Whether or not the ends to be sought are wholly consistent in logic, the arrangement to be immediately worked out will be somewhat as follows. Within the union there will be: first, a series of storage treaties; and second, a system of syndicate treaties, whereby the syndicates will apportion both domestic and foreign markets among their members.

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The syndicate organizations will thus be at the service of the joint economic area. The intermediate customs between the two countries will be paid to the cartel, which in turn will pay the state. The customs duties will be whatever is necessary at the joint frontier, plus intermediate customs between the two counties when their industries are of unequal strength; but these intermediate duties will disappear as the syndicate system extends.

Constitutionally, Mid-Europe will be a confederation of states. With affairs of church, school, language, suffrage and forms of government it will not meddle. As for nationality, the Pan-Germans cannot have their way, for Mid-Europe must have a more friendly way of regarding nationalist minorities. *Realpolitik* here recedes into the background; for what is, gets in the way of what is desired, instead of coinciding with it. Though Mid-Europe will have a German nucleus and will voluntarily use the German language, it must display toleration and flexibility regarding the associated languages. This comfortably assumed German hegemony, with its easy toleration of the junior partners, is quite in accord with the ordinary assumptions of every successful and ambitious people. Yet Naumann admits that the modern Germans are bad Germanizers, and that the Austrians understand nationality better than they. But even so, Austria is burst asunder psychologically by the birth of the national spirit, and only the impossibility of small nationalities maintaining themselves by military force holds it together. And so we come back to the starting-point, and discover the military state coercing the nationalities. There is no doubt in the mind of this sturdy thinker as to the ultimate sanction of the modern great state and the coming world empire, or as to the pitiable weakness of the little peoples that have only a common soul. The lesson of Belgium is not lost, and yet—is it all learned? Germany's rulers throughout the war have made, as it seems to most persons outside Germany, a series of colossal blunders, based on a failure to appreciate the importance of the intangible spiritual considerations by comparison with the tangible military ones. Such neglect departs no less truly from reality than does that idealism which shuts its eyes to force. The world's future, we have reasonable ground for believing, is not to be a place merely where the law of the knotted club is supreme.

But one step more remains in the program of immediate Mid-European construction. The necessary economic and military unification of Mid-Europe is to be worked out in the first instance by a series of treaties, some of which can be carried out by the states separately, while others will require joint commissions. The latter bodies will

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furnish the nucleus of the evolving Mid-European government. The economic commissions will deal with such things as customs, storage, administration of war debts, syndicate control, and maritime regulations. The common military arrangements will be worked out along lines already familiar in the two empires. The necessary unified foreign policy must come through a growing stability in joint work between the two foreign offices already existing. And so Naumann ends his book with these words: "Mid-Europe is the fruit of war. We have sat together in the war's economic prison, we have fought together, we are determined to live together" (page 287).

This intellectual fashioning of Mid-Europe amid the fierce heat of the world conflict is a truly extraordinary performance. In one aspect it is but the apotheosis of force; in another, a mere acknowledgment of existing facts. That it is immoral, to say no worse, if judged by conventional standards, there is no doubt—and yet who are we to cast the first stone? The expansion of our military power, the steady growth of our economic and political control in the Caribbean, the persistence and now the intensification among us of the idea of self-contained economic independence, and our unhesitating assumption of the right to rule the western hemisphere—do they not indicate that, so far as the American empire is concerned, at least, the statement of facts and tendencies is correct? Or does our smug consciousness of the righteousness of our purpose make the facts any less facts? And if the facts are as stated for the great empires, on what ground shall we deny to the citizens of another state, smaller but no less virile, the right to strive through the Great War to realize a like destiny for their own land? Can we altogether blame them if they look with pity indeed but without compunction on the little nations that stand in their way? We have drawn the sword in behalf of democracy, as most of us believe; but democracy as a mere political form means little. If our war is to be free from hypocrisy we must needs attain a conception of the democratic state such as has scarcely dawned yet on most minds. We must give definiteness and body to that ideal; unterrified we must work it out bit by bit in the evolving processes of everyday life. Only thus shall we prevent our entrance into the war from becoming a mere illustration of Naumann's thesis; only thus, whether our hand holds the sword or the plowshare, shall we meet successfully the challenge of those who declare that force is forever the mightiest arbiter of human destinies.

H. R. Mussey.

Columbia University.

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GERMAN LAND HUNGER [1]

TOWARD the end of the nineteenth century and in the early years of the twentieth, a few European and American writers began to note the development in Germany of disquieting tendencies. A literature demanding the expansion of German influence and power, and hinting or stating that this expansion could be obtained only through war, was growing in bulk and was gaining wide circulation. German military force was being perfected with a concentration of national effort unexampled in history, and a powerful navy was building. In spite of these and other warnings, the world refused to be alarmed. In Europe, where alarm had been endemic for half a century and had quite inevitably taken on the milder form of chronic anxiety, there seemed to be no increase of apprehension.

Since the outbreak of the World War the early alarmists have come into their own. The ground they broke has been subjected to intensive cultivation. The recent history of Germany has been minutely studied and the German literature of the last generation has been ransacked in the effort to discover and formulate the underlying causes of the cataclysm. Today we are beginning to make tentative syntheses. We see that the Prussian victories of 1864 and of 1866 and the German triumph over France in 1870, followed by the rapid development of German manufactures and foreign trade, created new ambitions. Because their chief commercial competitor, Great Britain, had dependencies all over the world, the Germans ascribed a possibly exaggerated importance to the possession of colonies. By manufacturers and merchants, colonies were desired, at first, chiefly as trading posts that would facilitate the opening and exploitation of wider markets. Those Germans, however, who watched with increasing alarm the objectionable features of modern industrialism—the transfer of population from country to city, the growth of luxury and the increase of want, the physical deterioration of the laboring classes, the moral deterioration of the very rich and the

[1] S. Grumbach, Das annexionistische Deutschland: Eine Sammlung von Dokumenten die seit dem 4 August, 1914, in Deutschland öffentlich oder geheim verbreitet wurden; mit einem Anhang: Antiannexionistische Kundgebungen. Payot & Co., Lausanne, 1917; x, 471 pp.

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very poor, the decreasing birth rate—these demanded colonization to preserve the balance between the industrial and the agricultural population.

With the organization of the German Empire the pride of nationality, instinctive in every healthy people, became identified with pride in and devotion to the new national flag. Those who left the Fatherland to better themselves seemed little influenced by this feeling. The current of German emigration, shrinking with the expanding demand for labor at home, continued to direct itself to foreign countries. At home, however, there was increasing indignation over the millions of Germans "lost" in the nineteenth century. There was also a growing belief that with the acquisition of territory adapted to agricultural settlement the declining German birth rate would rise again. Efforts to develop home colonization, for example by the wholesale expropriation of the Prussian Poles, were unsuccessful. Neither in the more thinly settled parts of Europe nor in the temperate zones of other continents could territory be acquired except by annexation, that is, by victory in war. Manufacturers and merchants appreciated that colonies better adapted for their purposes might be acquired in various parts of the world by the same simple expedient. These were the sinister implications of the demand for "a place in the sun."

The new land hunger clothed its nakedness with theories. To justify expansion through war, a philosophical doctrine was developed. The theory of the struggle for existence and the survival of the fittest was applied to the competition of nations. German thinkers did not ignore the fact that in human society conscious coöperation had introduced a new factor, but they restricted its operation to the single group, and they refused to recognize that civilization had developed any group worthy of consideration except the national state. Among national states the law of survival through struggle maintained unmitigated sway.

Germany's refusal to recognize the world, even the civilized world, as a society in which coöperation had to any degree displaced or could advantageously displace survival through struggle, found expression in legal theory. The dogma of the unlimited and irresponsible sovereignty of the state was accentuated. This dogma was no product of German or of modern thought. It had come down from the Roman Empire, which included the whole civilized world. The development and coexistence of a number of great civilized states has obviously destroyed the original basis of the dogma; as Professor Lammasch of Graz has recently argued, modern states are neces-

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sarily members of a society of nations, and no single state can claim, much less exercise, irresponsible power; but in Germany, and also in other parts of the world, absolute sovereignty is still attributed to the several states. It is of course a corollary of this dogma that international rules and customs bind the single state only in so far as it accepts them, and only so long as its peculiar interests do not require their abandonment.

German Neo-Darwinism found an ethical basis in the growing conviction that the Germans were superior to all other races. German victories in war, German achievements in civil administration and in social organization, German progress in the application of science to industry and the rapid expansion of German commerce — all these heightened German national pride to the point of megalomania. The belief that the German nation was unquestionably the fittest of all nations to survive justified the expansion of German power through war. German supremacy would be an advantage to the whole world. German Neo-Darwinism found a religious basis also in the assumption that survival through struggle was the divine order of the universe. One of the popularizers of Pan-Germanism, Klaus Wagner, found the assertion of this great truth in the words of Christ: "Many are called, but few are chosen"—words, he told his countrymen, whose profound significance Darwin had first revealed. German megalomania had already expressed itself in similar religious phrases—in the claim that the Germans were "the chosen people" and "the salt of the earth."

To these German utterances foreign nations paid, as President Wilson said last summer, little attention. They "regarded what German professors expounded in their class-rooms and German writers set forth to the world as . . . the dream of minds detached from practical affairs, as preposterous private conceptions of German destiny." The man in the street never suspects, and even the student of history does not always realize, how much explosive force may slumber in the shell of a theory. Suspicion that might have been aroused by the concrete ambitions displayed in the more recent Pan-Germanist literature was largely disarmed by the very frankness of their avowal. Men who were injudicious enough to say such things need not be taken seriously. It was in fact only the less authoritative expounders of Pan-Germanism who dotted all their i's and crossed all their t's; the more responsible leaders discussed peaceful penetration, commercial treaties, customs unions and other methods of expanding German influence without war. The aggressive militant

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tone taken by such writers as Bötticher (alias Paul de Lagarde), Bley, Lange, Wirth, Tannenberg and Frymann seemed to put them in a small class by themselves. As for Klaus Wagner, if he were not mad, like Nietzsche, he must be purposely peppering Pan-Germanism in order to make it more marketable.

Foreign scholars—and few but scholars took the pains to follow this militarist and annexationist literature—forgot that popularizers do more than "solid" writers to mould opinion. And those who knew, or were told by German friends, that at the beer tables German civilians were annexing little neighbors and dividing great empires, and who found the fact amusing, forgot that in Germany the *Biertischpolitiker* does at least as much as the press itself to consolidate sentiment.

How largely annexation sentiment was diffused in Germany is shown by the rapidity with which demands for annexation were formulated by all sorts and conditions of Germans in the very first months of the World War. The material which Grumbach has collected dates only from the outbreak of the war and extends only through the first five months of 1916. Of the annexationist books and pamphlets from which he draws longer or shorter extracts, 23 were published in the first five months of the war, 36 in the year 1915, 13 in the first five months of 1916. Of the publications dated 1915, some may have appeared and more must have been written in 1914. These data, so far as they go, militate strongly against the theory that annexation sentiment was created by the war, or that it became general only when the duration of the war begot the feeling that Germany must have something to show for her expenditure of blood and treasure.

Still stronger evidence of the wide diffusion of annexation sentiment is afforded by the attitude taken by the various German political parties. Before the end of 1914 single leaders of the National Liberal and Progressive parties—parties which represent particularly the middle classes—had openly advocated annexations (pages 71, 104). In the course of the following year all German parties except the Social Democrats committed themselves fully to this program (pages 33-40). The Social Democratic party steadily repudiated annexations (pages 429 *et seq.*), but several of its leaders construed this declaration as a repudiation of "conquests" only and not as excluding such "rectifications of frontiers" in the East and in the West as might be necessary for the protection of the Fatherland. This sacrifice of their internationalist principles was

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largely forced upon them by their constituents. In the autumn of 1914, the *Courier*, the official organ of the German Union of Transportation Workers, which has an enrollment of 100,000 members, expressed the hope that the German flag would wave forever over Antwerp; and Paul Lensch, at one time chief editor of the *Leipziger Volkszeitung*, later on the staff of the *Hamburger Echo* (both Social Democratic), asserted that "the right of populations to determine their own destiny must be thrown on the scrap-heap," and that Bismarck showed himself "an ass" when he neglected to annex Belfort. In June, 1915, the *Frankfurter Volksstimme* declared that the Social Democratic party must have a positive program and that this must include changes in the map of Europe. In April, 1916, the same journal gave its support to the demand for German colonies of settlement in the East. "It is no characteristic of socialism," the editor declared, "to place itself in conflict with new developments." In August, 1915, the *Harburger Volksblatt* expressed regret that the Social Democratic party had again committed itself to the formula of "no annexations." The staunch Marxist, Kolb of Karlsruhe, and Meerfeld, chief editor of the *Kölnische Volkszeitung*, pronounced this formula un-Marxian. Several Social Democratic members of the Imperial Diet fell promptly into line. Peus-Dessau pleaded (January 2, 1915) for the annexation of Belgium, in the interest of the Belgians themselves. Landsberg advocated expansion in the East to the line of the Naref, which meant the taking of territory with nearly 5,000,000 Slav inhabitants. Oskar Geck, and also the Baden deputies Adelung and Marum, expressed views identical with those of Kolb and Meerfeld (pages vi, vii, 111-119). Finally, the president of this party, Philipp Scheidemann, speaking in the Imperial Diet, April 6, 1916, launched the winged word:

> One must be a political infant to persuade himself that a whole continent can be set on fire, that millions of men can be killed or wounded, without the removal of a single frontier stone placed by some musty old diplomatist.

The only political fraction that has opposed annexation consistently and without qualifications or reservations is the minority group of Social Democrats, led, until his imprisonment, by Karl Liebknecht, and since that time by Hugo Haase.

It must of course be admitted that the war intensified annexation sentiment. If it did nothing else, it furnished new arguments for annexations. The German people, as we all know, accepted, in the teeth of all evidence to the contrary, the official statements that the

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war was planned by Great Britain and begun by Russia. Of those more intelligent persons who saw that Germany had in fact begun the war, the majority held that if Germany had not forestalled her enemies they would soon have attacked her, and that it was the right and the duty of German statecraft to anticipate the impending attack and to wage the inevitable war at a moment when the European situation seemed favorable. Each of these theories assumed that Germany was essentially a peaceful nation surrounded by quarrelsome neighbors. Holding this view, it was possible for Germans to insist, with a good conscience, that these dangerous neighbors must in future be restrained. Germany must at least obtain such strategic frontiers as to give her ampler protection against future assaults; and it would be much safer so to cripple her chief enemies that any future attack on their part would be hopeless. This point of view gave annexation sentiment not only a valuable argument but, what was worth even more, a synonym for annexation which was not only less crude but which implied justification—"guaranties and securities." The Social Democrats, as we have seen, repudiated annexations, but the majority group did not reject territorial guaranties and securities.

The belief that Germany was a peaceful country which either was or soon would have been assailed also served to justify the demand that her enemies be punished. In addition to ceding frontier districts, they must pay the full cost of the war. As the war went on and the costs mounted, and as it became clear that no European country would be able to pay an adequate money indemnity, a new argument for annexation appeared, succinctly expressed in the phrase "indemnity in land."

Not less important was the appeal to patriotic sentiment that appears in every war. The German flag was not to be hauled down where it had once waved; the graves of German heroes were not to be left in the hands of their enemies. To this latter sentiment the National Liberal leader, Bassermann, gave an economic expression which perhaps made a special appeal to the German Michael: "We shall know how to hold firmly for all time the lands that have been manured (*gedüngt*) with German blood" (page 71).

Of the annexationist documents that Grumbach gives us, the most significant are two memorials addressed to Chancellor von Bethmann-Hollweg. One of these, dated May 20, 1915, was presented on behalf of six of the most important industrial and agricultural associations of Germany and was signed by their official heads. The

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other memorial was adopted at a meeting held in Berlin, June 20, 1915, and was signed by 352 professors, 158 school teachers and clergymen, 145 superior administrative officials, mayors and members of city councils, 148 judges and advocates, 40 members of the Imperial Diet and of state legislatures, 18 retired admirals and generals, 182 manufacturers, merchants and bankers, 52 agriculturists, and 252 artists, writers and publishers. These two memorials, which Grumbach prints in full (pages 123-140), may surely be taken as representing a very large and very important body of opinion.

In the second and very much smaller portion of his book (pages 375-459) Grumbach gives us either in full or in extracts a collection of anti-annexation utterances. He separates miscellaneous protests "*aus dem Bürgertum*" from the Social Democratic protests. The Social Democratic material consists of petitions and resolutions, manifestoes and circulars, speeches and articles published in journals. The attitude of the minority socialists—we have already seen how little significance is to be attached to the formal declarations of the majority fraction — commands appreciation and admiration. This little group, representing a minority of the great Social Democratic party—how large a minority it is at present impossible to determine—has consistently opposed not annexations only but also the war itself. It has persistently denied that the war was forced upon Germany or was at the outset a defensive war.

From other than Social Democratic sources Grumbach has been able to collect little anti-annexation material. Over against 142 books, pamphlets and review articles advocating annexations, he is able to cite only three review articles and three pamphlets voicing protests. One of the three pamphlets was written by Dr. Quidde, the president of the German Peace Society. From this society we have also a set of resolutions and a petition sent to the Imperial Diet. We have also a speech delivered by Dr. Fried, the editor of the pacifist *Friedenswarte*, an excellent journal now published in Zurich and excluded from circulation in Germany (pages 411-415). For the rest, Grumbach gives us extracts from two leading articles published in the *Berliner Tageblatt*, and two memorials that were presented to the imperial chancellor and that emanated neither from socialists nor from pacifists.

One of these is the so-called Delbrück-Dernburg petition (pages 409-411). As early as October, 1914, Professor Hans Delbrück published in the *Preussische Jahrbücher* an eloquent warning against plans of conquest. In the spring of 1915, during his visit to the

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United States, Dr. Dernburg stated that Germany would not annex Belgium nor any other European territory—a statement that elicited energetic protests from home journals (pages 78, 81). In July, 1915, Delbrück, Dernburg and 139 other prominent Germans—professors, government officials, manufacturers, financiers, editors and a few retired military and naval officers—sent to the imperial chancellor a brief and very carefully worded protest against the annexation propaganda. The petitioners declare that Germany did not enter the war to make conquests; they reject in principle the incorporation in the German Empire of "peoples politically independent and accustomed to independence"; but they assert also that the occupied regions that Germany will vacate when peace is concluded must not be converted into a bulwark for Germany's enemies. (This of course refers mainly to Belgium.) They are not in favor of averting this peril by arrangements which must lead ultimately to annexation, but they are confident that victory will bring to the German nation rewards commensurate with its heroic deeds and sacrifices. "The German nation can conclude no peace but one that provides secure bases for its strategic needs, for its political and economic interests and for the unhampered exercise of its strength and its spirit of enterprise at home and on the free sea." It is to be noted that this petition does not exclude but, under the variant phrase "secure bases," specifically reserves guaranties and securities. It will be noted also that the German government is to have a free hand in disposing of the destinies of peoples who are not accustomed to self-government. In the autumn of the same year (1915) Professor Delbrück published in the *Preussische Jahrbücher* articles advocating the annexation of the Russian Baltic provinces and the establishment of a kingdom of Poland in personal union with the kingdom of Saxony. As an alternative, he suggested giving Poland to Austria. In the same year another of the petitioners, the well-known Pan-Germanist Rohrbach, published a pamphlet in which he advocated the annexation of the Belgian Congo and of the Portuguese colony of Angola.

This petition was obviously framed for foreign consumption. It was intended to counteract the bad impression created abroad, especially in neutral countries, by the annexation propaganda. It may have been intended also to discourage extravagant German hopes and to protect the imperial government against the reaction which would follow disillusion. Grumbach stretches a point in putting this petition among the anti-annexation documents.

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Quite another spirit animates the petition presented to the chancellor early in June, 1915, on behalf of the "New Fatherland Alliance" (*Bund Neues Vaterland*). The petitioners express their opposition not only to conquests but also to rectifications of frontiers. Such changes, they argue, would not secure Germany against future attacks; in many instances the proposed new frontiers would be more vulnerable than the old. In the present war Germany's enemies have not been able to attack her coasts; in a future war the German coast line, if extended, as the annexationists demanded, to Boulogne, would be far less easily defensible (pages 395-398). In the great plains of the East, new frontiers would obviously afford no greater security. And at what point could the advance be arrested? If the defense of East Prussia and Silesia demands the annexation of "protective belts," would not these belts, when settled by German colonists, require protection by new belts? "Is this protective-belt system to be extended *in infinitum*, until Germany reaches the Arctic and Pacific Oceans?" (pages 387, 388).

Positive arguments against annexations are found in the internal perils Germany would encounter in the attempt to rule additional millions of alien subjects, and in the external perils she would inevitably evoke by arousing hatred and thirst for revenge in the countries despoiled and by offending the conscience of the civilized world.

> Our experiences tell us . . . that the violation of Belgian neutrality has almost everywhere made a disastrous and altogether lamentable impression on the feelings of neutrals; that this impression, despite the lapse of ten months, is in nowise effaced; that on the contrary it has in many cases been regrettably intensified. . . .
>
> Members of our Alliance know, from personal impressions, how strong has been the effect of the violation of Belgian neutrality upon the great majority of Americans, even upon those who were friendly to Germany. . . . It has been particularly difficult to make our appeal to a "state of necessity" intelligible to Americans. . . .
>
> The annexation of Belgium would be viewed in all countries as the forcible subjugation of a maltreated free nation, wholly clear of responsibility for her sad fate. With the strong prejudice already existing against us among many peoples, it would have a fearful and long enduring effect. . . .
>
> Should we insist upon maintaining demands for annexation which would make any conclusion of peace impossible within any calculable period, we should do our utmost to drive the neutrals into the camp of our enemies; we should turn against us first their sympathies and then perhaps their armies [pages 400–403].

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In an earlier passage in which the petitioners dealt with the annexation propaganda in its fullest scope, they wrote: "A ruthless victor would conjure up against himself the hostility of the whole world and would necessarily succumb to the alliance of all the Powers" (page 377).

From the drunken Germany of the moment the petitioners appeal to the sober statecraft of an earlier generation. With a bitter irony that reveals a deep patriotic resentment they write:

> What a pitiable palterer was Bismarck, who in 1866 let Austria escape without cession of territory, and who in 1871 concluded a premature peace, without fully exploiting the favorable military situation and taking from the French Verdun and Belfort [page 384].

This protest, which occupies thirty-four of Grumbach's large pages (375–408), seems to the reviewer one of the ablest and one of the most important documents that this war has evoked. The Alliance from which it proceeded numbered among its members, Grumbach tells us, men from many and very different circles—politicians, savants, manufacturers, financiers and retired diplomatists. It was organized in November, 1914, by Baron von Tepper-Laski, "one of the best known of Prussian sportsmen." Its declared purpose was to further

> all movements adapted to imbue the policy and diplomacy of the states of Europe with the thought of peaceful competition and of combination reaching over state lines (*überstaatlicher Zusammenschluss*), in order to secure political and economic adjustments among civilized nations. This can be achieved only by an abandonment of the system hitherto prevailing, which entrusts to a few persons decisions which bring welfare or woe to hundreds of millions of human beings [page 409].

This is neither socialism nor radical pacifism; it is a sane and conservative internationalism, based on national self-government. The program of the Alliance closely resembles that set forth by President Wilson: it hopes to make the world safer through democracy.

It is a cheering thing that such an association could be formed in Prussia, after the outbreak of the war, and among persons of such standing. It is an inspiring thing that its members should have dared not only to defy the dominant military influences but also to antagonize the opinions prevailing in their own social circles. This petition proves, more conclusively even than socialist or pacifist reactions, that there is today, even in Prussia, a sane and, let us hope, a saving remnant.

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To list the concrete demands formulated by individual German annexationists would be wearisome. To select the most extravagant demands would be interesting but unfair. It may be worth while, however, to indicate how and to what extent the outbreak and progress of the war modified the *ante bellum* aspirations voiced or hinted by the Pan-Germanists.

Before the war, expansion over sea was, for obvious reasons, more generally and far more frankly discussed than expansion in Europe. After the outbreak of the war, for equally obvious reasons, over-sea expansion fell into the background. During the period covered by Grumbach's compilation the Germans expected, indeed, to recover their colonies in Asia, in Africa and in the islands of the Pacific; they even hoped to expand some of these colonies and to gain others of greater value. Despite the lessons of history, most Germans apparently believed that over-sea colonies could be retained and even acquired without control of the sea. Some indeed — among them Haeckel—assumed that Germany could acquire such control, and that the war would end in the occupation of London (pages 240, 255, 296, 366). Many more, however, believed that the British Empire would be hopelessly crippled, if not destroyed, by a Teutonic-Turkish conquest of Egypt (pages 138, 160, 225-229). Others assumed that the destinies of the world would be determined on the battle-fields of Europe. During the first two years of war, accordingly, much was still written and said about German expansion in Africa and even in China.

Regarding Latin-America there was a silence so sudden as to be audible. The reviewer finds in Grumbach but two allusions to this part of the world. Both the writers cited insist that there can be no question of political conquests in America. One of them, Herr Alfred Hettner, emits a growl concerning the Monroe Doctrine, which he appears to regard as an obstacle to German "economic and cultural activity" (page 300). The other, Dr. Karl Mehrmann, "in order to remove from the start any question as to the credibility of our assurances," admits that "at times in our country nationalistic covetousness has extended to South America." At present, however, "the number of our enemies is great enough, and will remain great enough even after the war, to induce us to avoid everything that would unnecessarily stir up new enemies against us" (pages 338-339).

About Middle Europe, the Balkans and southwestern Asia, on the other hand, much more was written and said after August 1, 1914,

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than before that date. These regions were already for the most part in the possession of the Central Empires or of their allies. To secure the territorial basis for a coherent world empire, all that was needed was complete control of the Balkan peninsula and an open road to Bagdad—and to British India. After the war, possibly during the war, the allied Middle European states were to be bound firmly together by military conventions and by customs treaties. Eventually they would form a great federal empire, into which all the smaller neighboring states from the North Cape to the Bosphorus would be drawn. The European boundaries of this empire would be determined primarily, of course, by the extent to which the Teutonic victories were utilized. With the outbreak of the war, the question of German annexations in Europe became a topic of active discussion. In the first five months of the war nine books and pamphlets were devoted primarily to this question, three only to expansion over sea. In the publications that advocated expansion everywhere, European annexations were correspondingly stressed.

In considering the scope and the character of the annexations demanded in Europe, the reviewer proposes to disregard the aspirations of single writers, however prominent and influential, and to consider only the two important and representative memorials described above, that of the six industrial associations and that of the professors.

Neither of these memorials speaks of "annexing" Belgium, but both demand a degree of German control that amounts to annexation. The six associations say:

> As regards military and customs policy, and also as regards the monetary, banking and postal systems, Belgium must be subjected to German imperial legislation. Railroads and canals are to be made portions of our transportation system [page 125].

The professors say:

> We must keep Belgium . . . firmly in our hands as regards political and military matters and as regards economic interests. On no point is the German nation more united in its opinion; to it the retention of Belgium is an indubitable matter of honor [page 134].

As regards France, the six associations declare:

> The possession of the coast beyond the Belgian frontier, perhaps to the Somme, and therewith an outlet to the Atlantic Ocean, must be regarded as vital to our future importance on the sea. The hinterland that is to be acquired with this coast strip must be sufficient to secure complete strategic

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control and economic exploitation of the ports that we acquire on the Channel. Apart from the necessary acquisition of the ore fields of Briey, any further annexation of French territory is to be made exclusively on considerations of military strategy. It may be assumed as self-evident, after the experiences of this war, that we . . . cannot leave in the hands of the enemy the fortified positions which threaten us, particularly Verdun and Belfort, nor the western slope of the Vosges that lies between them. The acquisition of the line of the Meuse and the French coast on the Channel involves, in addition to the above mentioned ore fields of Briey, also the possession of the coal fields in the Departments of the North and of Pas-de-Calais [pages 125–126].

The professors formulate similar demands:

We must ruthlessly weaken France politically and economically, for the sake of our own existence, and we must improve against her our strategical position. For this purpose, according to our conviction, a thorough improvement of our whole west front from Belfort to the coast is necessary. We must conquer as great a part as possible of the North-French Channel coast, in order to obtain greater strategical security against England and a better outlet to the ocean [page 134].

As regards Russia the six associations explain:

The need for strengthening also the sound agricultural basis of our national economy . . . demands a considerable extension of the imperial and Prussian frontiers toward the East, by annexing parts at least of the Baltic provinces and the districts lying south of the same, taking into consideration at the same time the object of making our Eastern-German frontier defensible from a military point of view [pages 126–127].

The professors are less definite, but more eloquent.

On our eastern frontier the population of the Russian Empire is increasing at a monstrous rate—at a rate of something like two and one-half millions a year. Within a generation the population will amount to 250,000,000. Against this overwhelming preponderance on our eastern flank . . . Germany can assert herself only if she sets up a strong barrier . . . and if on the other hand the healthy growth of our own population is furthered by all possible means. Such a barrier and also a basis for safeguarding the growth of our own population are to be found in the territory that Russia must cede to us. This must be agricultural land, adapted to settlement. Land, that gives us a healthy peasantry, this fresh fountain of all national and political power. Land, that can take over a part of our increase of population and offer to returning Germans, who desire to turn their backs upon the hostile foreign world, a new home in the old home. Land, that

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increases Germany's economic independence . . . by enabling her to nourish herself, that provides the needed counterpoise against the advancing industrialization and urbanization of our people, that preserves the equipoise of our economic forces . . . and prevents the perilous lapse into English onesidedness. Land, that arrests a declining birthrate, checks emigration and alleviates the dearth of housing facilities (*Wohnungsnot*). Land, where the process of resettlement and Germanization will open new careers also to the intellectual proletariat. Such land, required for our physical, moral and spiritual health, is to be found first of all in the East [page 135].

The petition of the New Fatherland Alliance was elicited by and is a reply to the memorial of the six associations. The Alliance translates the territorial demands of the associations, "attempting," it says, "to interpret them as modestly as possible," into approximate statements of areas and populations to be annexed. The figures may be tabulated as follows:

COUNTRIES	SQUARE KILOMETRES	POPULATION
Belgium	30,000	7,500,000
France	20,000	3,500,000
Russia	80,000	5,000,000
Totals	130,000	16,000,000

Both the six associations and the professors are convinced that it would be dangerous to the German Empire to admit the inhabitants of its annexed districts to full political equality with its German population. The government and administration of Belgium, the associations say, "must be so conducted that the inhabitants shall obtain no influence upon the political destinies of the German Empire." As regards the populations to be taken over from France and from Russia, the same statement is made. In the case of the French citizens who are to fall under German rule, this recommendation is based on "our experiences in Alsace-Lorraine." The professors are of the same opinion: "To the part of the French population that we take over" and "to the inhabitants of Belgium, no political influence in the Empire is to be conceded." As regards the Slavs, no such statement is made by the professors, because, as we shall presently see, very few Slavs were to be "taken over." The Slavs were to be taken away.

Rather than attempt myself to characterize these proposals, let me again cite the protest of the Alliance:

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How great a task would be imposed upon Germany, even in times of peace, if . . . more than 16,000,000 inhabitants, almost all animated by the bitterest hostility against everything German, were to be loaded upon the Empire, with its population of 67,000,000; what perils would be involved in times of peace, to say nothing of times of war—these questions have not wholly escaped the attention of the authors of the Memorial. This explains the fact that they advance a further demand. . . . In the annexed countries government and administration are to be so conducted that "the inhabitants shall obtain no influence upon the destinies of the German Empire."

In other words, the population is to be ruled by the German Empire without being able to exercise any political rights in the German Empire. . . . This system is to be imposed, not only in the East, upon Russian subjects, but also in the West, on Belgian and French citizens, accustomed to the fullest liberty and to democratic constitutions.

. . . To the monstrous proposal of converting 16,000,000 foreign and hostile human beings into compulsory members of the German Empire there is thus added a second monstrosity. No sane person will believe that any such forcible subjugation could be permanent. It would rather be avenged fearfully upon the German nation [pages 380–381].

The six associations and the professors concur in certain further recommendations. In Belgium, "the economic enterprises and possessions that are important for the domination of the country"; in the districts to be taken from France, "the economic resources to be found in these districts, including medium and large land holdings," are to be taken from their former proprietors and "put into German hands." So the six associations. The professors use only slightly variant terms: they speak of "the enterprises and possessions that give economic power" and "the most important enterprises and landed estates," and urge that these be "transferred from hostile to German hands." Both memorials suggest that the expropriated French citizens shall be indemnified and taken over by France, as part of the war indemnity to be paid by that country. Neither memorial explains how the expropriated Belgians are to be indemnified, or what is to become of them. As regards the districts to be ceded in the East, the six associations tersely indicate that "the war indemnity to be paid by Russia must consist largely in the transfer of private titles to land." The professors are more explicit:

Russia is over-rich in land, and the land of which she is to cede us political control we shall demand . . . freed for the most part from private titles. . . . The Russian population is not so strongly rooted in the land as

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is that of western and central Europe. Russia itself has repeatedly transplanted large parts of its population to remote districts [page 136].

Here again the Alliance provides us with an appropriate comment:

> In carrying out the annexations, the Memorial demands not only measures in the field of public law but also far-reaching attacks upon the right of private property. All possessions that carry with them strong economic and social influence . . . are to pass into German hands.
>
> This would be a revolution in the economic situation of individuals in the annexed countries such as no modern annexation has carried with it. It recalls—and the comparison is not on the whole favorable to the modern plan—the times of the great migrations of the nations. In those times the Roman citizen holding land in a Roman province conquered by the Teutons was obliged to cede, in one form or another, a part of his possessions to a Teuton conqueror.
>
> Thus one monstrosity begets another [pages 381–382].

An interesting illustration of the tricks that language can play with conscience is the way in which the catchword of "strategic securities," which implies only defense against aggression, slides over, first into "political securities," which are to be obtained by transforming Germany's free neighbors into subjects of Germany, without political rights, and then into "economic securities," which are to be obtained by ejecting millions of foreign peasants, in order that Germany may not need to buy grain or meat from aliens, and by ejecting the owners of foreign mines and factories, in order that the Germans may gain something approaching a continental monopoly of important manufactures. On this last point the six associations furnish the chancellor with valuable detailed suggestions. Their memorial includes a careful survey of Naboth's mineral resources.

The demands above summarized, especially the demand for wholesale expropriations, may be regarded by the advocates of the economic interpretation of history in general, and of this war in particular, as evidence of the truth of their theories. Those who are disposed to lay greater stress upon the psychological interpretation of history, and particularly of war, may however insist that the economic motives discernible in the German annexation propaganda are indistinguishable from those which, in private life, animate the burglar, and that the problem that really deserves scientific examination is the process of feeling and of thought through which high-minded men come to regard international burglary as a national duty.

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The six associations limit themselves to the problems of German aggrandizement and enrichment. The professors are mindful also of the interests of their allies, or at least of Germany's interests in the proper development of Middle Europe:

> We admit that the blockade by which England has transformed Germany during the period of the war into a closed commercial state has taught us something. It has taught us above all that . . . we must make ourselves as independent as possible in all political, military and economic matters, on the basis of an expanded and better secured home territory in Europe. Similarly we must organize upon the continent, in immediate connection with our land frontiers . . . the broadest possible continental economic domain. . . . For this purpose it is important permanently to secure Austria-Hungary, the Balkans, Turkey and Asia Minor to the Persian Gulf against Russian and English ambitions [page 137].

We have already seen what "security" against foreign ambitions means. What Austria needs for her security in the way of "protective belts" is indicated by many German writers. Dr. Albert Ritter, for example, indicates what is necessary for the security of Triest:

> . . . The northern part of Venetia, the districts of Friuli and Treviso, up to a line running from the south end of Lake Garda to the mouth of the Piave, must be taken as a glacis at the foot of the Alps in order to ward off from Austria's Adriatic coast all future menace [page 367].

In a democratic country, especially if its government is of the parliamentary type, the existence of a public sentiment so general and so definitely formulated as annexation sentiment appears to be in Germany would make inquiry as to the attitude of the government so unimportant as to seem superfluous. In Germany, however, the relation between governmental opinion and public sentiment is almost the reverse of that obtaining in England and in France. Not only is the government independent of parliamentary majorities, but it is also, to a very considerable extent, independent of public sentiment. It needs, as all governments need, the support of the people; but through its control of the press, which is extensive in peace and tenfold greater in war, it controls the expression and thus largely shapes the substance of national feeling and thought. Under such conditions the attitude of the press is conclusive evidence of the attitude of the government. Grumbach gives us direct evidence. He reprints notices sent April 24 and 25, 1915, by General Baron von Gayl, in command of the seventh army corps, to two Social Democratic journals. One of these had been guilty of opposing the an-

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nexation of Belgium, which, the general says, "wide circles of the nation regard as necessary." The other journal had characterized as "phantasies" utterances of Deputy Paasche regarding the possible acquisition of colonial and European territories, and had praised an essay of Professor Brentano, which, the general says, "in a discussion of the aims of peace, contains serious breaches of the party truce (*Burgfriede*)." Both journals are consequently notified, in identical language: "Since your attitude gives me no assurance for the future against offenses of the kind censured, I impose upon your journal the requirement of approval before publication (page 24).

Under such conditions it is not surprising that few protests against annexations appeared in Social Democratic journals. Even the attitude of the "bourgeois" journals, which, with only three or four exceptions (see Grumbach, Introduction, page i), were openly annexationist, seems to the reviewer less conclusively indicative of public sentiment than of governmental policy.

The *Burgfriede*, which General von Gayl invoked, was supposed to bar party controversies during the war. Annexation, accordingly, was to him a party question. Discussion of the aims of the war (*Kriegsziele*) seems to have been specifically prohibited; but it does not appear that any German journal came into collision with the authorities by advocating territorial guaranties and securities.

In the governmental attitude towards memorials, petitions and resolutions of groups, associations and political parties, similar distinctions are noticeable. German newspapers, it is true, were not permitted to print the memorial of the six economic associations nor that of the professors. These were not regarded as desirable articles of export. Both these memorials, however, enjoyed unimpeded circulation throughout Germany as "confidential printed manuscripts." On the other hand, all printed copies of the protest of the New Fatherland Alliance were seized by the police. The Alliance itself was placed under such surveillance and exposed to such annoyances that it abandoned the attempt to hold meetings. The petition and the resolutions of the German Peace Society were not allowed to appear in print; they were sent to members only in type-written form. A pamphlet by its president, printed as manuscript, was excluded from the mails. All Social Democratic protests, except those that constituted part of the proceedings of the Imperial Diet or of state legislatures, were excluded from the press, and all copies discovered were seized by the police. Anti-annexation manifestoes and pamphlets, printed in Switzerland, were held up on the frontier.

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They were subjected, that is, to the same treatment as other anti-government literature, such as *J'accuse*.

The formal utterances of the German authorities, both in the Empire and in the single states, were guarded. At the outbreak of hostilities the Emperor declared that Germany was not waging a war of conquest. This statement was periodically repeated by the civil authorities. On the other hand, both the Emperor and his chancellor spoke repeatedly of "guaranties and securities." This phrase was launched by Bethmann-Hollweg in the Imperial Diet, May 28, 1915. It was received in the Diet and by the press as a declaration in favor of annexations. Against this interpretation the chancellor interposed no protest. On July 31, 1915, in an address to the German people, the Emperor modified the phrase. The chancellor spoke of guaranties against any future military attack (*Waffengang*). The Emperor demanded "the necessary military, political and economic securities" for "the unimpeded development of our creative powers at home and on the free sea." In subsequent utterances the chancellor rejected the reëstablishment of "old past conditions"; asserted that the guaranties to be demanded by Germany would increase with the duration of the war, that Germany's future position must be "unassailable," that her enemies were no longer to hold "sally-ports" in the East or in the West; and stated that Germany could not permit Belgium to be used by England or by France as a military base (*Aufmarschgebiet*), that Germany must have "political, military and economic security" against the reconstruction of Belgium as an "Anglo-French vassal state" or as a "military and economic bulwark against Germany," and that Germany could not "again expose the long-oppressed Flemish nationality to Gallicization (*Verwelschung*)" (pages 5-8). The allusions to Belgium were taken to signify that this country was to be so divided as to separate the Walloon from the Flemish stock, and that both parts, whether formally annexed or not, were to be kept under German control. Colonial Secretary Solf stated in 1915 that Germany's colonial possessions must be maintained and increased "without prejudice to the possible acquisition of territory in Europe" (page 9). The Prussian minister of the interior, replying in 1916 to a Social Democratic declaration against annexations, said:

> This declaration is not in harmony with the true spirit of the people in this heroic time; least of all will it be intelligible to the men who are fighting for us. . . . The German Empire must build with blood and iron the road to the attainment of its political destiny in the world [page 11].

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In weighing the importance of such a collection of documents as Grumbach has given us, it may of course be urged that lust for conquest has been exhibited at one time or another by every powerful nation, and that even in this war writers and speakers in the countries allied against Germany have demanded annexations, some of which can hardly be viewed as restitutions. Similarly, when Germany is accused of militarism or is declared to exhibit symptoms of megalomania, it is urged that it would not be difficult to support a similar indictment against other countries by extracts from their chauvinist writers and orators.

The reply to such strictures is what English lawyers call a confession and avoidance. In the case of nations as in that of individuals all the traits that constitute character are human. Differences of character result from different combinations of these universal traits or, in an older phrase, from the way in which "the elements are mixed." We may go further and assert that the seemingly new spirit, good or bad, which an individual or a nation exhibits in a crisis is usually marked by the further development of traits that were already strongly developed and by the suppression of other traits that were always less developed. Insanity itself exhibits no traits that are not found in sane people: it is marked by the development of some trait or traits beyond the degree of variation which is sufficiently common to be regarded as normal. Men may be unreasonably suspicious of their fellows or unreasonably assured of their own importance and yet be within the line of sanity, but exaggeration of either trait may amount to mania. From this point of view, it seems permissible to say that a nation may be at least temporarily insane. The fact that so many Germans, apparently most Germans, believe without evidence that they were about to be attacked by their neighbors suggests that the nation is afflicted by the mania of persecution. Another indication of a disordered national mind is the reiterated statement, made before as well as after the outbreak of the war, that no other nation is able to understand Germany. Couple with this the fact that German writers assert that Germans fully understand the psychology of other nations, that they alone have this capacity, and that this superiority qualifies Germany to direct the destinies of the world; add to this the apparent acceptance of these claims by most of their countrymen, and it seems quite justifiable to say that German national pride has developed into megalomania. The undoubted fact that some Germans are quite free from such hallucinations does not invalidate

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this judgment, for these sane Germans testify that the sentiments and opinions which they combat are general and dominant.

Without venturing to assert that militarism and lust for conquest are forms of national insanity, we may still say that the question whether a nation may justly be called militarist or annexationist turns on the extent to which either spirit prevails over the spirit of peaceful international coöperation. Covetousness is not a trait peculiar to the Germans, but Grumbach seems quite justified in asserting that

> in no other country are annexations advocated in so immoderate a manner and so openly as in Germany, by the most influential political leaders, by great political parties and by the best known university professors.

He is equally justified in adding:

> And even if plans of annexation existed on a similar scale in other countries, which I deny, in estimating their danger we could not pass over the question, how far the military situation gives the single countries any practical possibility of making such annexations. . . . The reason why the peril of annexations demanded in Germany is for the moment so great, is that the German army has occupied Belgium and North France and (in coöperation with the Austrians) Poland, the Baltic provinces, Serbia and Montenegro [page iii].

And since this book was published the Teutonic armies have occupied the greater part of Rumania.

Of the industry and conscientious care with which the book under review has been compiled and edited it would be difficult to speak too highly. The most important documents are printed entire. In dealing with books, pamphlets and articles, Grumbach is of course compelled to confine himself to extracts; but there is no evidence that he has unfairly wrested passages from their context. There is, indeed, evidence to the contrary; for many of the utterances he cites would be much more startling if he had omitted the qualifications that accompany them. Nor does he present demands only without the arguments by which they are supported. The volume is one which should be found in every important library.

MUNROE SMITH.

COLUMBIA UNIVERSITY.

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REVIEWS

Der englische Gedanke in Deutschland: Zur Abwehr des Imperialismus. By ERNST MUELLER-HOLM. Munich, Ernst Reinhardt, 1915.—148 pp.

In Germany, even in the earlier months of the World War, when nearly all Germans were convinced of the righteousness of the German cause and were demanding, not "conquests" indeed, but adequate territorial "guaranties and securities" against future attacks from their quarrelsome neighbors, and when most doubters were silent, there were nevertheless expressions of dissent and of protest. Müller-Holm does not expressly deny that the Germans were attacked, but he suggests doubt of this assumption. He does not affirm that the war is one of conquest, but he indicates apprehension that it may become such a war. "Did this war," he asks, "really arise without any fault on our part? Is Germany such a lamb as our press asserts? . . . The hatred which almost all neutrals exhibit towards us must give us pause (page 131)." For this hatred he holds the Pan-Germanists chiefly responsible.

Our universal unpopularity is fully to be explained neither by certain unamiable Prussian-German traits . . . nor by the French and English underground propaganda. . . . What has caused us to be completely detested by civilized nations is the insufferable attitude of the Pan-Germanists. "Pan-Germanists" is their name in politics; in science they are called "Race Theorists." Do you wish to know what Race Theory is? It is a so-called science, of which the purpose is to prove that the Germans stand first among all nations of the world, that all the achievements of civilization since the beginning of history have proceeded from them, and that the rule of the world fitly and rightly belongs to them. . . . What an impression of Germany's politicians, of the aims of German patriots, must a foreigner derive from these products of national megalomania? One writer expects a "Pan-Germanic Empire," embracing "the present Empire; the other Germanic territories in Europe, Scandinavia and the Netherlands, as equal partners in the Empire; further, the territories of the Latins in the west and Southwest and of Austria's western and southern Slavs, as dependent colonial territories, besides all America south of the Amazon." Another calmly launches the assertion that the cultural value of a nation depends on its percentage of "the blond race"; and on this basis he undertakes to prove, in each individual case, that all the great men of the non-German nations were of German blood. A third declares that the command to

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love your neighbour, given us by the "Aryan" Jesus, of course extends only to Aryans. . . .

The views of these dangerous fanatics quite dominate public opinion; they contrive to smuggle their cuckoo-eggs into most journals and newspapers. The harm done by such books as Houston Stewart Chamberlain's *Foundations of the Nineteenth Century*, and by the essays in the *Political Anthropological Review* is inconceivable. Generations must pass before the bad impression made upon foreign nations disappears [pages 131–134].

One of these Pan-Germanists, and by no means one of the most extreme in his aspirations, Paul Rohrbach, had written a book on *The German Idea in the World*. Müller-Holm asks:

What is "the German idea"? Rohrbach nowhere puts it into plain words. . . . What it means to him is, however, quite clear. It is a completely materialistic notion. Rohrbach wishes the German to rule, to stretch himself, to enrich himself, to permit nothing to be done in the world without his coöperation. "The German idea"—an expression constantly in his mouth—is only a euphemism for imperialism [page 8].

Imperialism, however, is not a German but an English idea. Müller-Holm takes as the motto for his essay the words of Franz Liszt:

The idea of world rule, imperialism in the proper sense of the word, did not spring up on German soil; it was imported from abroad. Seriously to support it is to commit treason against the innermost essence of the German spirit.

For this English idea, which has infected Germany, the author feels only detestation.

I admit that I am so utter a simpleton as to be unable to see the nobility concealed under hideous facts. . . . I see [in imperialism] only a pride of power, akin to megalomania; with the best will in the world, I can see in it no moral idea. When it is appreciated . . . that the true interests of nations are not antagonistic, then at last it will be understood that even in politics there is such a thing as immorality, and that it is immoral to base our own prosperity on the misery of alien peoples . . . [page 82].

The English idea has been rendered more acceptable to Germans by the claim that in extending their power they will diffuse a higher culture. To the author, however, "a culture that deserves the name does not consist in clever technical inventions, nor even in flourishing arts and sciences, but in the fostering of justice" [pages 99–100].

Müller-Holm does not seem to be either a socialist or an extreme pacifist: he does not use the catchwords of either of these groups. He

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frankly a Little Germanist. He is satisfied with the Fatherland as Bismarck left it. He ventures to contradict an all-highest statement, in expressing his opinion that "Germany's future does not lie on the water."

All geographical considerations, the nature of the country, the character of its coasts, its position in the middle of Europe indicate that it is destined to be a continental state. That, of course, does not mean that navigation is to be abandoned . . . but it cannot be our chief object. That is forbidden by military considerations, by our extended frontiers on land. At sea, we must confine ourselves substantially to defense.

It is time to return to Bismarck's policies. After 1871 he lost no opportunity to declare that Germany was "saturated." I am no unconditional panegyrist of Bismarck, not even of his foreign policy. I regret above all that after 1871 he did not attempt, perhaps did not even desire, to establish tolerable relations with France. But his policy had one great merit, it was never adventurous [page 140].

As an unconditional anti-imperialist, the author does not go into the question whether German imperialism would be better or worse for the world than English imperialism. All imperialism is bad; and he is mainly concerned, not with the effect of imperialism on the world, but with its peril to the dominating state. The making of an empire entails unspeakable horrors, and its maintenance will involve their indefinite renewal.

When this war broke out, we were prepared for dreadful things—unprecedented squandering of human life, fearful misery, famine, disease. What we were not prepared for is this shocking reversion toward moral savagery [page 5].

I am not sufficiently optimistic to believe that this war will be followed by a long peace. The hatred necessarily engendered by this war and by the still hardly conceivable way in which it is being waged—this hatred alone promises a series of wars. This assumption is unfortunately supported by the still unbroken power of imperialism [page 7].

The author seems to be a man in whom there is no guile. At the same time, given the immediate problem he had to solve—to oppose German imperialist tendencies in the stress and heat of a German imperialist war—the canniest of politicians could have found no cleverer line of action than to denounce his adversaries as disciples of Germany's most hated enemies.

This pamphlet gives additional and welcome evidence that even in the war-mad Germany of today there is an under-current of right feeling and of sane thinking.

MUNROE SMITH.

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Caribbean Interests of the United States. By CHESTER LLOYD JONES. New York, D. Appleton and Company, 1916.—viii, 379 pp.

The central theme of this book is that the logic of events conditioned by the geographic location and economic dependence of the Caribbean regions inevitably forces the United States into a position of leadership and control over these countries. Although nominally the Monroe Doctrine assumes that "any struggle for economic advantage in regions not already under European flags has had to be carried on under substantially equal terms for all powers," this is actually true only as regards the sale of goods in those countries—German, French, English and American goods meeting the same treatment at the custom-house. This principle of equality is applicable to private business ventures, but economic penetration and control by subjects of European nations has not been countenanced by American policy. The author says: "A concession or a loan which has a political character which may bring international complications, it has been felt, must be eliminated." He illustrates this in "Oil in the Caribbean."

Striking emphasis is placed by the statistical method on the fact that this equality is farther limited by the dependence of the Caribbean countries upon the United States as the market for their products—a fact particularly significant in this case, for "in no region of the world probably is there dependence upon fewer crops, is life more conditioned by export trade, and that export trade composed of a few staple products in each country." This statement is clearly demonstrated in the author's study of the industries of each country or colony. This condition of the export trade gives to the United States a powerful weapon in its tariff policy. It could bring commercial, industrial and financial disaster by the discriminatory exercise of its customs duties. Even the British colonies least dependent on us recognize and fear such possibilities. Tariff discrimination is a weapon we can use to prevent the granting of undesirable concessions to subjects of other countries.

Professor Jones' method of treatment is to give a brief statement of the political history of a country or colony, an analysis of its trade relations, and a statement of its industries, resources and population. Nowhere does he attempt description of the life and character of the people or their environment; he gives little space to the narration of events; the book is primarily an exposition of the principal commercial facts and their logical implications. In the treatment of the latter, homeopathic doses of imperialism are so cleverly administered that one is quite ready to accept the inevitable as soon as it is stated.

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In part the conclusions of the work are that the commercial expansion of Cuba and the remarkable regeneration of Porto Rico are due "to the assurance of order, the security of life, liberty and property which American influence has brought" and that "there is no reason why under proper supervision [by the United States] the Dominican Republic, Haiti and the republics in Central America may not develop their resources as Barbados and Porto Rico have done."

Steadily, quietly, almost unconsciously, the extension of international responsibilities southward has become practically a fixed policy with the State Department. It is a policy which the record of the last sixteen years shows is one followed, not without protest from influential factions, it is true, but none the less followed, by Administrations of both parties, and of decidedly different shades within one of the parties. Whatever developments may come which will divide the people as to governmental policies, there seems to be little doubt that any (*sic*) future Administration will turn back upon the decisions taken. Protests will continue but the logic of events is too strong to be overthrown by traditional argument or prejudice [page 125].

GUY EDWARD SNIDER.

THE COLLEGE OF THE CITY OF NEW YORK.

British Incomes and Property. The Application of Official Statistics to Economic Problems. By J. C. STAMP. London, P. S. King and Son, Limited, 1916.—xv, 537 pp.

This work—for it is more than a mere book—has already received the highest praise from many appreciative reviewers. Yet we cannot refrain from repeating that it is an invaluable work, a model of statistical analysis and presentation. The subject is intricate, and one merit of the book lies in the fact that it does not in any way slur over difficulties, but states them in full.

What economist or student of finance has not at some time been bewildered by the official income-tax data? Who has not felt a bit of malicious satisfaction in noting that even such able British scholars as Giffen, Goschen, Levi, Money, Bowley and others have confessed themselves unable to interpret these troublesome figures? Now comes Mr. Stamp with just the sort of help one needs to get a clear understanding of that great "engine of finance" and of the statistics that have come from its administration.

The author's purpose is to take the income-tax statistics and put them in such shape that they can be intelligently applied, so far as they will go, in the study of "modern problems in economic sociol-

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ogy." He pertinently observes that these statistics are but "a by-product of a system of taxation," and since raising the revenues, not instructing the world of science, is the main purpose of taxation, and since the by-product is not essential to that main purpose, the figures need to be cleaned before using for other purposes.

The cleaning process involves: (1) defining and explaining the meaning of the terms, as determined by the statutory rules, and warning against the pitfalls into which those who have used them in the past have fallen; (2) reconciling and differentiating the changes in meaning of the figures which came as time passed; (3) appraising the degree of comparability of the returns at different times and in different parts of the United Kingdom; (4) revising and readjusting the series of figures so as to give them the largest possible continuity; (5) as part of all the other four processes, throwing light on the income-tax data from other sources, and from the studies previously made.

A few samples must serve to illustrate the skill with which all this has been done. In the first chapter, which deals with the income from the ownership of land (Schedule A), there is a careful explanation of the distinctions to be made between "gross incomes," "gross actual incomes," and "income on which the tax was received"; it explains how the different "rents paid" are brought to a common denomination of "annual value," and finally how this value differs from the popular conception of "rent." These explanations are followed by examples from a number of different kinds and forms of landed property. Out of all this we get eventually a very clear idea of what is assessed under this schedule. The presentation by tables and charts of the effects of the periodical revaluations shows how the "continuous drag downwards" in the intervals between revaluations is overcome and how the "slack" is taken up in the next valuation. It is possible that others have shared with the reviewer the mistaken notion that this schedule of the income tax was nearly automatic in taking up the increase in rents, but Mr. Stamp makes it clear that the assessment is no meaningless formality. Similarly it may be said of the presentation of the workings of the inhabited-house duty and its dovetailing into the income tax, and of the "obnoxious" Schedule D which contains so many terrors not for the tax-payer alone—what Mr. Stamp gives us is just those facts behind the figures and those ideas behind the rules, which one not in touch with actual administration often seeks in vain.

In the second part of the work, which deals with "Some Applications of the Official Statistics," the author is concerned mainly with property. It is in this connection that we may best mention a valuable feature

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which runs throughout the book. Part of each chapter is given to a summary of the estimates and opinions of previous writers on the subject in hand, each citation being passed under critical review and analysis, errors pointed out, or comparisons made. These collections of citations, running on sometimes for pages, form a handy compendium of the literature on the various phases of the subject, and they are all the more valuable for having been subjected to running criticism.

To follow again the invidious process of sampling, we find on page 404 a "new valuation" of the national capital, in the sum total of £14,300,000,000, given in full detail for the different classes of property. Immediately following this are all the other authoritative estimates, as those of Beeke, Colquhoun, Lowe, Pablo de Pabrer, Farr, Giffen, Milner, *The Economist*, Money, the Fabian Society, and Crammond, the list beginning in 1800 and ending in 1914. Farther on, after quoting Marshall's definition of social income, the author refuses to commit himself on the amount of the national income, observing:

> Obviously no known money or statistical measure can readily give all this; only things which are *exchanged*, not merely produced, count. . . . If I get the services of a shoeblack, I add twopence to the national income, but if I black my own shoes and he *gives* me some tangible article or service, the money measure is the same as before, but the national wealth is greater [page 414].

This citation also indicates the occasional flash of humor that does much to relieve what might otherwise be a rather "dry" book. But despite unwillingness to give us his own estimate of the annual national income Mr. Stamp gives us an interesting critical review of what others, not such angels, have ventured to offer.

One of the most interesting features of the work is the skilful use made of mathematical economic analysis and of statistical devices. The mathematical treatment when introduced always passes the supreme test of that method, namely, that it can be restated in "plain English," and the results are so stated. Possibly the best example of the mathematical treatment is the use made of Pareto's law to test the accuracy of the returns as to the number of tax-payers in each class, or rather in each group by size of income. Particularly striking is the result obtained by testing the distribution of the super-tax by the same law (page 333). Of minor statistical devices, with which the book abounds, one seems especially worthy of mention—the use of a line extended above and below the main line on an historigraph to aid the eye in catching the deflection caused by some special event, such as

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the deflection in the general progress of the total taxable income occasioned by the reassessment whenever it occurs. Simple as this is, it adds much to the intelligibility of the chart.

If there is any criticism of the work it must be of the author's marked unwillingness to go one inch beyond what he feels is satisfactorily proved in his interpretation of the data. Not infrequently he leads up to some interesting conclusion only to back away again with the statement that "this is beyond the scope of the work." Should not a well-informed writer give his readers the benefit of his conclusions? An "educated guess" is often as important as an absolute proof.

CARL C. PLEHN.

UNIVERSITY OF CALIFORNIA.

On Chinese Currency. Vol. I. The Monetary Problem. By G. VISSERING, with the co-operation of DR. W. A. ROEST. Amsterdam, J. H. De Bussy, 1912.—ix, 215 pp.

On Chinese Currency. Vol. II. The Banking Problem. By G. VISSERING. Amsterdam, J. H. De Bussy, 1914.—xvi, 299 pp.

Chinese Currency and Banking. By S. R. WAGEL. Shanghai, North-China Daily News and Herald, Limited, 1915.—457 pp.

Finance in China. By S. R. WAGEL. Shanghai, North-China Daily News and Herald, Limited, 1914.—503 pp.

Wagel's *Finance in China* purports to "make a comprehensive survey of the economic conditions of China today." It deals with trade, exchange and banking, money, credit and prices, industries, labor, revenues and indebtedness, giving much space to trade. In spite of its many faults, it should prove of help to those who desire a general acquaintance with the topics that it covers. The other three works reviewed all deal with the currency question in China.

Dr. Vissering is a recognized expert in both the theoretical and the practical aspects of money and banking. He holds the position of honorary monetary adviser to the Chinese government, and is now president of the Netherlands National Bank. Mr. Wagel claims no such distinction but is entitled to discuss the question on account of his long residence in China and his knowledge of economic conditions in that country. Mr. Wagel approaches the problem chiefly as a student; Dr. Vissering's two volumes embody his reform proposals submitted to the Chinese government for consideration and adoption.

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The problem of currency reform in China has been debated over and over again, both inside and outside of China, until there is little new that can be said about it. Internally, China suffers from a shifting double-standard currency of copper and silver, bullion and coins of many kinds. These evils could be remedied by the introduction of a uniform coinage system suitable to the economic conditions of the country; by universal consent, the standard should be silver. But in international relations China suffers from the lack of a par of exchange between her currency and the currencies of gold-standard countries with which she has growing financial and commercial relations. The crucial question, therefore, has been whether she must not find some sound plan, applicable to China, under which a stable exchange between China and the rest of the commercial world can be established. Dr. Vissering is not satisfied with the silver standard. In his first volume he reaches the conclusion that the gold standard must be the goal of currency reform in China. From the very beginning, he maintains, steps must be taken to adopt for calculation purposes, even if only in theory, a gold unit fixed at once so that speculation on the future determination of the gold unit may be prevented. He rejects the straight gold-exchange-standard system, which necessitates the circulation of token coins, as impracticable in China, and holds that

> a token coin can only be issued by a government which is powerful enough to prevent a serious degree of counterfeiting even in the interior parts of the country, and at the same time to defend all its frontiers against imports of counterfeit money from abroad. If the government were to fail in either of these respects the introduction of a gold standard or of a gold-exchange standard would be an absolute failure and would entail the most serious consequences.

To avoid the necessity of issuing token coins during the early stage of the reform, Dr. Vissering proposes to the Chinese government as a practical expedient, based on the experiences of the Dutch East Indies, what may be called a double standard, that is, a gold-exchange standard in co-existence with the present silver standard, the former gradually to supplant the latter during the transitional period.

In this volume and especially in his second volume, which treats of the banking problem, Dr. Vissering strongly recommends the adoption of the central-bank principle, as against a plurality of banks, and the central bank is the most important part of his gold-standard scheme. He is firmly convinced that "for China the most desirable system is one central bank of issue with branches to be gradually established all

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over the country, and that it should be a private concern entirely free from the influence of the government, but under its active supervision and control." His volume places before the Chinese government a plan for the organization and management of the bank. Once the gold unit is decided upon, the bank may issue notes on the gold basis redeemable in gold values kept abroad; and the foreign gold reserve, built up by the equivalent received against the issue of these notes, is to be used for the maintenance of the value of these notes. The present coins, notwithstanding the tangle of money systems, will be allowed to circulate side by side with these gold-exchange notes during the preliminary period of the reform, which may have to be a quite long one. Vissering's two volumes, while dealing primarily with the Chinese currency question, contain valuable theoretical discussions and are important contributions to the literature of monetary science.

Wagel's *Chinese Currency and Banking*, nearly equal in size to Vissering's two volumes put together, deals with both the money and the banking problem. The first portion of the book is an historical survey of Chinese currency, and is the least original part of the work. Wagel rejects Vissering's gold-exchange-standard plan as being unsuitable to Chinese conditions, and criticizes Vissering both for taking most of his practical illustrations from the position and development in the Dutch Indies and for not giving due consideration to the actual state of affairs in China. He wants the silver standard retained with the copper cash as the basis and the Shanghai tael as the unit. As the tael is too big for the purpose (being 524.93 grains fine silver) he suggests the minting of the half-tael as the unit of coinage. Having rejected the gold-standard plan, he also objects to the central-bank project as being too unwieldy and thinks that China cannot do better than to follow the example of India and the United States by having a number of banks, such as the Indian district banks, through which the authorities could control and regulate currency. Considerable space is given to a discussion of the district-bank idea. The author admits that his proposals are intended to meet the present situation, and he makes no essential proposals with regard to the far-distant future. A distinct merit of the book is its interesting discussion of existing banking institutions and methods in China. On the whole the work can be read with advantage, as it represents the views on currency of the moderately progressive part of the Chinese thinking public.

W. P. Wei.

Washington, D. C.

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Outline of International Law. By ARNOLD BENNETT HALL. Chicago, La Salle Extension University, 1915.—v, 255 pp.

The author states in his preface that this volume is intended as a brief, non-technical statement of the underlying principles of international law; that it is written, not for the specialist, but solely for the general student and reader who is interested in the world problems of today. The text, consisting of 131 sections, occupies only two-fifths of the volume. The rest is devoted to a classified bibliography and to reprints of some of the Hague conventions, and of the Declaration of London. The author undoubtedly states his propositions with clearness and force; but the demands of condensation sometimes result in the omission of essential elements, while occasionally he relies on authorities that seem to have misled him. No judgment was rendered against the United States in the case of the Texas Bonds (page 12). The decision of the umpire is readily accessible, but not in the work cited. The definition of piracy taken from another writer (page 38) is manifestly too broad; nor is the distinction noted between piracy by law of nations and piracy by municipal statute. The right to appropriate fisheries on the high seas disappeared long before the Bering Sea dispute (page 38), in which the pretensions of the United States in that regard were found to be based upon erroneous assumptions and to have no foundation whatever. The statement of the case of Martin Koszta, taken in connection with the title of the section (page 42), might create the impression that more effect was sought to be ascribed to the declaration of intention than was actually claimed for it. A third state would undoubtedly be justified in disregarding a claim based on domicile as against a claim based on citizenship, either naturalized or native. In Koszta's case there are two capital points to be noticed: (1) that he had, as the United States contended, actually lost his Austrian allegiance by a decree of that government; and (2) that the sole original ground of the claim of the United States to protect him was the fact that he was an American *protégé*, a ground which was never abandoned. The author apparently has relied upon the fragmentary and misleading statement of the case in Wharton's *International Law Digest.*

In saying that a diplomatic agent "can never . . . be tried or punished by the local authorities" (page 45), the author probably did not intend to imply that this cannot be done if his government consents to it. The obligation of a foreign man-of-war to respect the local police regulations (page 48) extends equally to the rules of neutrality, the

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observance of which the local government may compel. Consular jurisdiction usually depends, not upon the fact that a foreigner is "a party" to the suit (page 49), but upon the fact that the defendant is a foreigner.

Not four classes of public ministers were created by the Congress of Vienna (page 52), but only three; a fourth class (the third in the present schedule) was added by the Congress of Aix-la-Chapelle. Nor is it likely that inquiries at Washington, for instance, would fully substantiate the assertion that the classification is "of little importance except for ceremonial purposes." In regard to the dismissal or recall of ministers, the case of Catacazy (page 55) was complicated by certain circumstances, and especially by the visit of the Grand Duke Alexis, which render it valueless as a precedent.

The sections on treaties (65–73) might be slightly amplified to advantage; for instance, it is of the utmost importance that the elementary reader should know that the interpretation given by the United States to the most-favored-nation clause (page 63) is not generally accepted by other nations. Even our own most-favored-nation clauses are by no means confined to privileges "gratuitously" granted. It is true that the United States, Spain and Mexico did not at the time adhere to the Declaration of Paris of 1856 (page 90), but Spain at length gave her adhesion on June 18, 1908.

The section on blockade and contraband might be rendered more precise if amplified in certain particulars. This is very important at the present moment when highly metaphorical uses of the word "blockade" are current. Nor can the importance of the subject of contraband, and the confinement of claims under that title to proper limits, be overestimated. There can be no doubt that if it be left to belligerents alone to determine these questions, there is scarcely any rule established for the protection of neutral trade that is worth the paper on which it is written.

As to the Hague conventions relating to war, it is to be observed that they contain a clause which renders them inapplicable to conflicts in which not all the parties are adherents. The Declaration of London never acquired international force by the exchange of ratifications, Great Britain having declined to adopt the legislation necessary to give effect to it on the part of that government. Some of the provisions of the Declaration are indeed open to serious difference of opinion, the questions covered being substantially controversial.

J. B. Moore.

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The Crowd in Peace and War. By Sir Martin Conway. New York, Longmans, Green and Company, 1915.—332 pp.

The war has stunned everyone somewhat from his power to think, and has set him to feeling after the reason, the meaning of it all. Many there are who, congenitally unfit for dispassionate judgment, lacking the discipline of science in cautious generalization, and untrained in social psychology, rush into print with discussions designed to catch the popular ear, with philosophies which ofttimes cause the social scientist to "gasp and stare." An admirable case in point is the present volume by Sir Martin Conway, a student of art. As a contribution to knowledge the book is worthless; but as such it was probably not intended, and as such it would therefore be unfair to judge it. It is rather an attempt to deal in popular language with the relations of "crowds" to individuals and of "crowds" to one another.

Judged even in the light of the purpose for which it was planned, the work must face indictment on at least three counts. In the first place the author has failed to acknowledge his heavy debt to the French crowd psychologist, Le Bon. In the opening chapter where, "illustrating by concrete examples rather than by defining," Sir Martin endeavors "to show the kinds of human aggregations to which the word 'crowd' may be applied," he finds these two kinds of crowds: (a) "assemblages of human beings, all physically present together at one time and within one area, each individual conscious of the presence of the next," and (b) "groups of human beings not physically assembled together within sight and hearing of one another at any time and place, yet forming collective bodies which have a separate and conscious existence." In the second chapter, inquiring into "the nature of such crowds," he concludes that a crowd, the emotions being the basis of its formation, has no brain, never displays a trace of intelligence, and that "the opinion of a crowd has no relation to the reasoned opinion of the majority of its members, but is a mere infectious passion that sweeps through the whole body like an electric current." To any one familiar with the work of the Frenchman the striking resemblance between his teachings and those just quoted is apparent. Several passages of Conway are indeed little but loose translations of sentences published by Le Bon in 1896. Take a single illustration from page 8 of his book. "A multitude of people walking in the street, each about his own business, may form a dense mass ot humanity, but they are not a crowd until something occurs to arrest their attention and inspire in them a common emotion." Le Bon in his *Psychologie des Foules* (page 12) says:

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"Mille individus accidentellement réunis sur une place publique sans aucun but déterminé, ne constituent nullement une foule au point de vue psychologique. Pour en acquérir les caractères spéciaux, il faut l'influence de certains excitants." Conway does not refer to Le Bon.

The second charge is obvious. In claiming that the social mind—for such is the author's "crowd" mind—never acts rationally, and making this proposition the major premise of his later chapters given to discussions and analyses of group relations, he has taken over and made fundamental in his work Le Bon's error, and a large part of his structure must, when submitted to criticism, fall. So long ago as 1896 Professor Giddings in his *Principles of Sociology* had said in attacking Le Bon: "In the prolonged deliberations of a group of men that alternately meet and separate, or that communicate without meeting, the highest thought of the most rational mind among them may prevail." In the long list of modern social psychologists, including such men as Hobhouse, Cooley and Wallas, we find not one defending Le Bon's position in its extreme form. To champion this theory of social psychology without supporting it with convincing evidence or even careful argument seems inexcusable. That crowds—especially those gathered in physical contact—do too often act on mad impulse, do with discouraging frequency give no evidence of a brain, no one would deny. That they always act in such fashion only those given to hasty generalization would affirm.

In the third place, even where the argument is not built up on this antiquated error, the volume contains much that is erroneous. It is replete with confused thinking, and it brings little or none of the more recent thought and research to the reader. To Conway, instinct is still a vague, mystic power to shape men to its will. "The relation of man to man," we learn, is still a dark mystery which science has scarcely yet attempted to lighten. Has the author never seen *Physics and Politics*, has he not even turned the leaves of the volumes on sociology that have become multitudinous almost beyond number?

What place is there, then, for the present volume? Le Bon's *Psychologie des Foules* has long been translated. It is a far more systematic analysis of the crowd psychology to which Conway subscribes than is *The Crowd in Peace and War*, though it is perhaps a little less popularly written. Conway's book has little to recommend it even to the dilettante other than an easy conversational style and considerable wealth of recent and popular illustration—and, of course, an abundance of loose, incoherent thinking and hasty generalization.

F. W. JONES.

COLUMBIA UNIVERSITY.

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In Freedom's Birthplace: A Study of Boston Negroes. By JOHN DANIELS. Boston, Houghton Mifflin Company, 1914.—xiii, 496 pp.

Back Bay, Boston Common, Faneuil Hall and Old North Church are rather unusual settings for observations on the Negro problem, but Mr. John Daniels has used them to good effect in his book, which is an addition to the small number of concrete studies of the Negro. Any rational program of race adjustment must be based upon this sort of detailed knowledge of actual conditions.

The Boston Negro population, as Mr. Daniels shows, is a highly selected group; the upper classes have lived in a superior environment for several generations, and the lower classes, made up of emigrants from the South or from the West Indies, have been selected from the southern groups by reason of energy and ambition for improvement. The increase in population has been due to constant immigration, the death rate having been notably greater than the birth rate up to the last decade.

Education, sanitation and the standard of living are treated only in an indirect manner without detailed analysis of the problems in these fields. Negro breadwinners are divided into three general groups. Almost three-fourths are in the group composed of menials and common laborers; about one-fourth are in the middle-class or higher-grade manual and clerical occupations; and less than one-fifteenth are in the group composed of professional men and proprietors. The increasing tendency for Negroes to enter into the second or "middle-class" occupations causes an increase in their self-confidence and in the respect shown them by white people. "Inherent industrial unfitness," and not color prejudice, is the chief reason assigned for the low economic status of the Negro. The labor unions of Boston have neither helped nor hindered him. The Negroes of Greater Boston have accumulated over $3,000,000 worth of property, but Mr. Daniels estimates that not over ten or fifteen per cent of this total is held free of debt.

The first four chapters of the study trace historically the attitude of the white people toward the Negro from colonial times to the present. In early times the Negro was treated as an inferior. Abolition agitation, the appearance of Negro leaders, and the bravery of Boston Negro troops in the Civil War for a time allayed all race prejudice. With the mistakes of reconstruction, and the influx of ignorant Negroes after emancipation, the Negro lost public favor. Recent

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growth in Negro self-reliance and increased economic efficiency seem to be again undermining race prejudice. These fluctuations of race prejudice among northern white people give valuable suggestions as to the causes and results of such prejudice in American cities.

In his concluding chapter on "The Future of the Negro People," Mr. Daniels makes "the problem" and "the solution" seem simpler than they really are. He bases prejudice mainly upon inferiority, and would remove prejudice by reducing inferiority through Negro gains in self-reliance, moral stamina and individual efficiency. He is right in insisting that the Negro must cultivate racial cohesion and co-operation, and must also increase his contact with the customs and institutions of the white man, so as to become articulated into the community.

T. J. WOOFTER, JR.

COLUMBIA UNIVERSITY.

The Mississippi Valley in British Politics. A Study of the Trade, Land Speculation, and Experiments in Imperialism Culminating in the American Revolution. By CLARENCE W. ALVORD. Cleveland, The Arthur H. Clark Company, 1917.—Two volumes: 358, 396 pp.

As the title indicates, this is a study of a new phase of American colonial life. In his preface the author assures us that "whenever the British ministry soberly and seriously discussed the American problem, the vital phase to them was not the disturbance of the 'madding crowd' of Boston and New York but the development of the vast transmontane region that was acquired in 1763 by the Treaty of Paris." This claim is not justified by the evidence presented in these two volumes, but that does not detract from their value. They do not contain an adequate explanation of the Revolution, as the sub-title implies, but they do supply the most important treatise upon the West in its relation to the empire that has yet been published.

Like every American historian who has attempted a serious study of the eighteenth century, Professor Alvord has had to reconstruct in great detail the actual working of the British governmental system. Here are unrolled before us the combinations and plottings of the Pittites, the followers of Newcastle, the Bedfordites, the Buteites, the Bloomsbury Gang, and the King's Friends; some actuated by high patriotic principle, but most by a desire for the "flesh pots of Egypt."

The general condition of affairs in 1760 is presented by way of introduction. Then follows a detailed account of the problems connected

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with the termination of the war, the terms that could be given, and the territory that should be retained. Much is made of the evident lack of geographical information concerning the new territory. Apparently the French settlements on the Mississippi were not generally known in England in 1763. The development of the Indian policy, the running of the boundary line, the distribution of troops, the resources of the country, the Proclamation of 1763, the numerous schemes for new settlements and new governments in the acquired territory, the governmental problems of the French population in Canada, the organization of the fur trade, the attempt to secure a revenue from the public lands in the West, the gradual surrender of the back country to the control of the existing provinces, and the Quebec Act, all are adequately discussed. On each of these subjects real contributions are made.

Professor Alvord admits that he has been able to find few guiding principles which actuated the British policy and that many of the most promising trails turned out to be blind alleys. The volumes are written from the point of view of the Empire and the author evidently believes that local control was not for the best interests of the West. He conceives that the chief motive which actuated persons interested in promoting schemes for the development of the back country was the desire to exploit it for their own profit.

Shelburne and Hillsborough are the two big personages that stand forth in the period. The former is greatly admired by the author, and has been given a rather full and complimentary biography, with special emphasis upon his western policy. One inconsistency must be noted. The author asserts (I, 279) that he was better informed on colonial affairs "than any minister of the eighteenth century," and yet places his mental equipment in this field as second to that of Halifax (I, 323). Hillsborough is treated more briefly. The importance of Franklin's work is apparent in Professor Alvord's pages. The work of that statesman in relation to the West has been followed with evident care and with satisfactory results.

Four entirely new maps have been prepared to illustrate the text. These indicate the various schemes for settling the West in 1748–1756, 1763, 1763–1767, and 1768–1776 respectively. They are apparently based upon material not fully supplied by the text, and probably represent considerable research in themselves. They are of so much importance that they are likely to be widely copied. On this account they deserve more careful proof-reading. There is a serious discrepancy between the bounds of the Mississippi Company given in volume i, page 95, and those indicated on the map immediately following.

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Pamphlet and manuscript material has been used extensively and is copiously cited in the footnotes. A valuable annotated bibliography accompanies volume ii. The volumes as a whole have unusual literary merit. A 76-page index, encyclopedic in form, gives ready access to every important fact. The printing and binding are up to the high standard maintained by the publisher.

The work is so well done that adverse criticism is almost ungracious. The fundamental limitation of the work is inherent in the subject. It was the West that was studied, material touching it was sought, and other material was neglected. Consequently the West appears unduly important, and sense of proportion is lost. Another limitation grows out of the intensive study of so short a period. Practices fairly well established in preceding years appear unique when encountered in the study of a short period. In this particular case the difficulty in understanding the blocking by the Board of Trade and the legal advisers of the crown of all attempts to create new governments within the territorial limits of existing provinces would not have seemed such an inexplicable enigma and been ascribed to "stubbornness" if the author had followed out the traditional policy of the board in dealing with boundary disputes during the preceding half-century. He would have come to recognize the almost sacred character of charter claims in the eyes of British officials and would have expected new schemes to encounter difficulties. It is also probable that much has been lost in estimating the relative importance of events because the author has not been able to study the London materials at first hand. Copies he has had of those that touched his subject directly, but these omit the very elements out of which perspective is built.

It is barely possible that the word "colony" has misled the author in some cases. Frequently this term was used as synonymous with "settlement." The word "province" was more commonly used where governmental entities were under consideration. If some of the projected "colonies" were only settlements within the known limits of existing provinces it would explain the lack of consistency on the part of the colonial office in apparently favoring a scheme at one time but later opposing it when it had taken on provincial dimensions.

In spite of these possible limitations the work is of unusual merit and will be recognized by students of eighteenth-century American history as of first importance. Professor Alvord is entitled to great credit for completing it.

O. M. Dickerson.

Winona State Normal School.

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The American Indian as Slaveholder and Secessionist. By ANNIE HELOISE ABEL. Cleveland, The Arthur H. Clark Company, 1915.—394 pp.

This volume, which continues Miss Abel's excellent study of Indian consolidation west of the Mississippi River, is "the first of a series of three dealing with the slaveholding Indians as secessionists, as participants in the Civil War, and as victims under reconstruction." This statement in the preface indicates the subject of the book more accurately than does the title, for the Indian as a slaveholder receives but little attention.

The first chapter gives a good survey of general conditions in the Indian country before the war. Among the forces which tended to draw the five great tribes into closer relations with the South were their inherited southern institutions, the influence of pro-slavery teachers, agents and missionaries, the fear of free-soil encroachment upon Indian lands, and the neglect of the federal government. While in the spring of 1861 the government at Washington seemed wholly blind to the strategic importance of the Indian Territory, the Confederates appreciated its value from the first and set energetically about it to win the support of the Indians. Commissioners from Texas prepared the way, and the hurried retreat of the United States troops before Texan forces decided the Indians who lived next to the Texas line. Commissioners from Arkansas to the Creeks, Seminoles and Cherokees were less successful, since these Indians, influenced by John Ross, the Cherokee chief, had declared for neutrality. When the Confederate government sent Albert Pike, the poet-lawyer of Arkansas, as special commissioner, he was able before the end of the summer of 1861 by generous offers to negotiate treaties with all the tribes of any importance. These remarkable treaties for the first time guaranteed territorial and political integrity to the red man, granted him numerous rights previously denied him, and held out to the more important tribes the prospect of ultimate statehood. They are perhaps more a monument to Pike than to the government which he represented.

The chief obstacle to Pike's success had been the position assumed by the astute and influential chief of the Cherokees, John Ross, who held to his policy of neutrality until the Confederate victory at Wilson's Creek on August 10 convinced him that the South would be victorious. The United States had lost the territory by its short-sighted failure to cultivate Indian friendship and by its neglect to maintain a respectable military force there. The Confederacy in turn was to lose what it had

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gained, by its failure to carry out the policy which Pike had initiated. During the winter a large section of malcontents, mostly Creeks, broke away and fled to Kansas. In the spring of 1862 the Federals were planning a movement south from Kansas to recover the Indian country. The narrative stops at this point.

The book is an important contribution to a subject of which almost nothing has been known, and on the whole it is an excellent piece of work. The style is clear and readable, and the narrative in the main proceeds in an orderly manner. Although not always sure in her analysis of motives or of character, the author has been very successful in picturing situations and in setting forth the salient features of the treaties about which the whole story centers. Students of Indian relations and of the Civil War in the West will find themselves under so many obligations to Miss Abel that such faults as this reviewer has to find may seem invidious.

The author avows at the outset that, being of British blood and having lived in all sections of the Union, she "has developed no local bias." That she is conscious of none is unquestionable, but throughout the book are evidences of something which operates much as a persistent bias would. Were it not for the disclaimer, one would be tempted strongly to say that Miss Abel holds a brief for the Indian and against the Confederates. In view of all that happened on the Texas frontier between 1856 and 1860 the Reserve Indians can hardly be regarded as "inoffensive" (page 52). The agent, R. S. Neighbors, was murdered in a private quarrel, not because he had befriended these Indians (page 56, note 86). The skeptical references to the "atrocites so-called" (page 90) and the "ravages, if such we can call them" (page 200, note 383), of the wild tribes among the Texas frontier settlements, would never have been made if Miss Abel had examined the mass of evidence in the Texas archives on the subject. Her ready assumption that the names of Creek chiefs had been forged to the Pike treaty (page 194) rests on no better proof than the assertion of these chiefs when trying to square themselves with the government after the war, and the same may be said of the "trick" by which the Seminoles were induced to sign (page 198). But if our author holds the Indians generally blameless, John Ross, principal chief of the Cherokees, is a paragon of excellence. Pike is denounced as unjust to Ross (page 134) because of his statement in 1867 that Ross voluntarily sought a treaty with him in August 1861, although every fact adduced tends to show the statement true; General Ben McCulloch is virtually accused of misrepresenting Ross's attitude at an earlier date (pages 151–152),

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when as a matter of fact it appears that the crafty old chieftain was simply temporizing and playing for time, a thing which Miss Abel naïvely assumes that an Indian could not do. Ross's action two months later seems to justify McCulloch's diagnosis (page 223).

Much might be said of Miss Abel's suspicion of everyone connected with the Confederacy, but only a few examples can be mentioned. Hubbard, commissioner of Indian affairs, is suspected of being interested only in money matters because he proposed to persuade the Indians of the financial advantage of adherence to the Confederacy (page 110); and his letter of June 12, 1861, to John Ross (pages 144–146) is commented upon with great severity, although his prophecy about the abolition of slavery was a true one, while that about Northern settlers taking Indian lands was founded on well-known threats which Miss Abel herself has cited. Nor does it seem that in the quoted part of that letter he laid all "the responsibility for previous Indian wrongs" upon the northern states, as she seems to think. The assertion that the concessions made by Pike were forced by necessity rather than dictated by a sense of justice (page 157) is inconsistent with a previous estimate of Pike and his own declaration of his intentions (pages 134–141). The Confederacy and, inferentially, Pike in particular, are accused of stirring up factional strife among the Cherokees for selfish ends (page 168), though not one bit of evidence is brought out to prove it.

It is impossible to find in Lincoln's letter to Stanton, January 31, 1862, either a "frank" statement or any other that he wished to keep the expedition into the Indian country out of the hands of McClellan (page 276). With respect to the appointment of border-state men to positions in the Indian service (pages 182–184), it seems most likely that Lincoln was simply trying to strengthen the Union sentiment where it was most needed.

The strong tendency to over-documentation is a fault easily pardoned, though much of the material printed in the footnotes seems of little value and serves to distract the reader and hinder the narrative. The two appendices which contain the Ft. Smith and the Wichita or Leeper papers will be useful to other students, although some of the material could have been spared without loss. The bibliography is extensive and well arranged. The index is good. There are three useful maps, and one which serves no end whatever. The portraits of three Cherokee chiefs, Rowning, Ross and Adair, are interesting.

CHAS. W. RAMSDELL

UNIVERSITY OF TEXAS.

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The English Catholic Revival in the Nineteenth Century. By PAUL THUREAU-DANGIN. Revised and Edited by WILFRED WILBERFORCE. London, Simpkin, Marshall, Hamilton, Kent and Company, 1914.—Two volumes: lxiv, 468; xv, 642 pp.

This large and comprehensive work easily divides itself into three sections—the revival of the Roman Catholic Church in England, the history of the Oxford movement, and the development of the Ritualistic movement within the Established Church that resulted from the writings and the influence of Newman, Pusey, Manning and the other Tractarians. In the introductory chapter, written in 1899, forty-nine years after the Catholic hierarchy had been re-established in England, M. Thureau-Dangin sketches with sympathy and with enlightening detail the progress of the Roman Catholic Church in England from the opening decades of the nineteenth century. At that period England was a mission. As regards relations with Rome, and the political and social position of the adherents of the Church of Rome, it was much where it had been in the opening decades of the eighteenth century. There was no Roman Catholic bishop in England; four vicars-apostolic were in charge; there were not more than four hundred priests, seemingly including priests who were chaplains, and as such attached to the households of the more wealthy Roman Catholics of the landed aristocracy; and in England—exclusive of Wales, Scotland and Ireland—there were in 1814 not more than 160,000 adherents of the Church of Rome. Until 1829 Catholics were excluded from political life. They were excluded by a test from the universities, and consequently from some of the learned professions. Socially a class apart, from long usage they were disposed to acquiesce in this isolation.

Political enfranchisement, with all its advantages, came in 1829. Wiseman established himself in England in 1835. In 1850 the hierarchy was re-established, and Wiseman became Archbishop of Westminster. By 1899, the year of M. Thureau-Dangin's introductory survey, there were in England one and a half million adherents, seventeen bishops, and an archbishop. Roman Catholic churches were no longer confined to the obscure streets of the large towns, and the isolation of the Roman Catholics was at an end. Much more than political enfranchisement was necessary to bring Roman Catholics out of the seclusion which had been their lot since the days of the Tudors. The re-establishment of the hierarchy was a great influence to this end. Other influences were the work and policies of Wiseman and of Manning, Wiseman's successor as Archbishop of Westminster;

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the Oxford movement; and the Ritualistic movement, which grew out of the Oxford movement. Each of these two movements within the Established Church carried many men and women into the Roman Catholic Church. But the movements did more than add to the adherents of the old faith. They helped change the attitude of a large part of the people of England toward the Roman Catholic Church; helped move the churches from the by-streets to the main thoroughfares; and made it unnecessary for any Englishman to apologize when he introduced a guest of the Roman Catholic faith. It must always be difficult to estimate with any exactness how much the Roman Catholic Church owes directly and indirectly to the Oxford movement and its sequel. But one unquestionable value of M. Thureau-Dangin's well-written, admirably arranged and sympathetic history of the three movements that he describes lies in its making possible the study of the personalities and influences that helped the Roman Catholic Church into the sunshine and prosperity that it enjoyed in England during the three or four decades preceding the Great War.

The story of the revival of the Roman Catholic Church in England is in itself a noteworthy contribution to the political, religious and social history of England in the nineteenth century. The history of the Oxford movement and the Ritualistic movement has a special interest for students who would understand the relations of the courts, the crown, and Parliament to the Established Church. Both the Oxford movement and the Ritualistic movement, particularly the latter, came into conflict with ecclesiastical law; and it is difficult to name a book which better than this one illustrates, from actual and concrete cases, the inner working of a church established as part of the state and subject to courts and Parliament. The Tractarians created some difficulties for the authorities of the university and for at least one bishop of the Established Church; but it was the Ritualistic movement that for the twenty years from 1866 to 1886 created much work for aggrieved parishioners, bishops, court of arches, judicial committee of the privy council, convocation, cabinet, Parliament and royal commissions. M. Thureau-Dangin's detailed study of the Ritualistic movement—local, judicial and political—brings out the relation of church and state in England better than any manual on the subject could possibly do. The author's sympathies are with the Tractarians and the Ritualists. He welcomes every movement tending to a reunion of the Church of England with the Church of Rome.

EDWARD PORRITT.

HARTFORD, CONNECTICUT.

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Studies in the Problem of Sovereignty. By HAROLD J. LASKI. New Haven, Yale University Press, 1917.—xi, 297 pp.

During the last fifty years the generally recognized *testimonium maturitatis* in political theory has been some sort of commentary on John Austin's doctrine as to sovereignty. Most of us have demonstrated that it hasn't a leg to stand on; but nobody has yet put it out of the ring so effectively as to convince the next comer that the battered thing will not stand another beating. Mr. Laski's book takes up the usual task in a manner and spirit distinctly new and as distinctly praiseworthy; the renewed relegation of Austinianism to the scrapheap is at least achieved in a way becoming to a gentleman and a scholar.

It may be said in passing that the singular susceptibility of the Austinian dogma to inconclusive scrapping is to be explained not so much by the character of Austin's thinking as by the obfuscation of his critics. The facts seem to be about as follows. Away back in the early decades of the eighteenth century Bolingbroke, in the medley of brilliant incoherencies which gave to his vindictive pursuit of Walpole the veneer of political science, enunciated the dogma that "there must be an absolute, unlimited and uncontrollable power lodged somewhere in every government." Blackstone, probably with some reminiscence or even more certain reminder of Bolingbroke, declared it essential to every government that there be "a supreme, irresistible, absolute, uncontrolled authority in which the . . . rights of sovereignty reside." Largely, though by no means exclusively, through the influence of Blackstone's dictum, the conception that sovereignty implied omnipotence became something like a commonplace of English political theory. Austin, improving upon Bentham, set forth a theory of sovereignty in which the distinctive feature was that the sovereign must be a determinate human being or group of human beings. This theory was at once assailed and has since continuously been assailed chiefly on the ground that to ascribe omnipotence to any human individual or aggregate is absurd, and that any theory of the state based on such ascription is fallacious *ab initio*.

The criticism of Austin in almost all its ramifications will be found to rest ultimately on this reasoning. As a matter of fact Austin did not ascribe omnipotence to the sovereign. In assuming that he did, his critics are determined by the Blackstonian hypnosis. He never thought of the sovereign as "irresistible, absolute, uncontrolled," except as the supreme source of positive law; and Austin never thought of positive law as the sole element in the regulation of social life. He

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fully recognized constitutional law, international law, public opinion, and custom as imperatives that operated in the career of a state, but he denied to them the character of positive law, which to him was "law properly so-called." He believed that the political life of a civilized and rational people would be improved by the progressive enlargement of the part played in it by positive law and by the determinate superior in whom such law had its source. This is a very different thing from assigning to a determinate superior the fearsome aggregate of potencies that was paraded by Bolingbroke and Blackstone.

It is not to be inferred from the foregoing that Mr. Laski makes any formal and systematic attack on Austinism, but merely that the drift of his opinion is unmistakably revealed by passing comment and allusion. His introductory essay, "The Sovereignty of the State," announces his adhesion to the view that precision and unity are not to be too diligently sought in discussion of the ultimates of political science—a view that sweeps Austin and all the utilitarians summarily out of the vicinity. Later he shows how the above-noticed misconception is working in his intellect by a reference to the sovereign of Austin as "the superior who always receives submission to his views" (page 206). Yet Austin from the outset declares that the relation of the subject to the superior is that of "habitual," not invariable, obedience.

The central thesis of Mr. Laski's book is that religious belief and ecclesiastical organization constitute both in theory and in practice an impassable barrier to the extension of sovereign authority. Three of the essays are studies, clearly suggested by the well-known work of Figgis, of modern episodes in British ecclesiastical history that illustrate this thesis. The three episodes are the disruption of the church of Scotland in 1843, the famous Oxford Movement, and the Catholic revival that succeeded it. The author's handling of the wellworn stories is fresh and free, and gives them a significance in the history of political theory that is never to be detected by an American reader in the versions that have been so numerously put before the public heretofore.

A final essay on Maistre and Bismarck is interesting, but betrays something of a strain in the effort to force a parallelism that is not obvious. A painful incident of this essay is the shocking array of typographical blunders in the footnotes. It seems as if the joint efforts of the author and the Yale University Press ought to have discovered a proofreader, in spite of the war, who possessed a rudimentary knowledge of German. Who or what could have been the "Gatlin" whose letters from Bismarck are referred to on pages 239 and 240?

WM. A. DUNNING.

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RECORD OF POLITICAL EVENTS

[From August 1, 1916, to July 31, 1917].

I. THE EUROPEAN WAR.

THE WESTERN FRONT.—A series of midsummer battles as furious as they were futile, fought around the ruined villages of Thiaumont and Fleury, to the northeast of **Verdun**, failed to obscure the fact that after six months of unremitting exertion the German Crown Prince was at last compelled, in August, to abandon his costly offensive against Verdun. With the Germans baffled at Verdun, the third year of the war opened most auspiciously for the Allies, who now found themselves for the first time in a position of incontestable military superiority on the western front. The turn of the tide was signalized by the replacement, on August 29, of General von Falkenhayn, who as chief of the German general staff had sponsored the Verdun campaign, by Field Marshal von Hindenburg, leader of the "Eastern School" of German generals, who advocated an aggressive strategy in the east, a passive strategy in the west. Henceforth the Germans were to stand on the defensive in France and Belgium while their line was painfully battered back, mile by mile.—The principal effort of the Allies was made on a forty-mile front astride the River Somme, just at the point where the British and French armies joined hands. In the first month of the **battle of the Somme** (see last RECORD, p. 2), the Allies stormed the German first line trenches, opened a breach sixteen miles wide in the elaborate German second line, and penetrated at certain points to a distance of six miles. Still the Germans clung grimly to their well-prepared third line of defense on the crest of the shell-scarred ridge north of the Somme. During August and September French troops fought their way around the southern end of the ridge, while British armies, a little further north, by dint of the most strenuous fighting carried the crest of the middle portion of the ridge and broke through the German third line. Like the jaws of gigantic pincers, British and French armies closed upon the town of Combles, which served as a German military base at the eastern end of the ridge, until on the night of September 25 the German garrison stealthily withdrew to the eastward. On September 26, while a French column was exultantly marching into Combles, British regiments stormed the strongly fortified village of Thiepval, commanding the northwestern reaches of the ridge. A spectacular feature of the battle for the ridge was the employment by the British of monstrous armored motor-trucks, called "tanks," veritable forts on wheels, or rather, on caterpillar treads. After the victories of September, the Allies moved out on the northern slopes of the ridge, until the British reached Le Sars, less than four miles from

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Bapaume, and the French came to Sailly-Saillisel, east of Combles. South of the river, the French line was pushed close to the outskirts of Péronne and Chaulnes and came to a standstill. On the extreme right, the British burst through the German line in the Ancre valley and advanced a few thousand yards in November. By November 18 the battle of the Somme had drawn to a close. In four months, July 1 to November 1, the Allies had won more ground than had the Germans at Verdun; they had captured 73,000 prisoners, 130 heavy guns, and many smaller pieces; and had inflicted on the Germans a total loss of over 700,000 men, according to a French statement. The Allies, however, had suffered heavy casualties. The total losses of English and French in four months were estimated at not less than 600,000. Though neither Bapaume nor Péronne had been attained, the battle of the Somme was not fruitless; General Sir Douglas Haig claimed it had relieved Verdun and worn down German man-power; furthermore it had created an embarrassing salient in the German line.—In the course of the battle of the Somme so many German troops were shifted from the region of Verdun to the new battle-area, that a tempting opportunity was afforded for a **French counter-stroke at Verdun.** General Nivelle saw and seized the opportunity. By two brilliant attacks, October 24-November 4 and December 15-18, General Nivelle regained Forts Douaumont and Vaux, together with seven villages, on the heights northeast of Verdun. General Nivelle's reward was the highest in the power of France to bestow. On December 19 (obedient to a decree of December 13) he assumed command of all French forces in France; General Joffre was honorably retired, with the title "Marshal of France."—About February 22 the British advance guards, cautiously creeping forward in the **Ancre Valley,** discovered that the German trenches were empty, except for a few machine-gun crews and ingenious dummy soldiers. By February 28 the British had pushed forward two and a half miles on an eleven-mile front and had wiped out the Ancre salient.—On March 15 the Germans began a retreat which soon appeared as a **general retirement** on the whole front from the "elbow" at Noyon, in the south, to the vicinity of Arras, in the north. Astonished and elated, British infantry marched into Bapaume, March 16, and Péronne, March 18 (the British had taken over the French sector of the Somme battle-front at the close of December); so rapid was the advance, that in the first week 40 villages were occupied by the British, and cavalry once more came into use. South of the Somme, the French pursued the Germans with such alacrity that by March 20 General Foch's *poilus* stood within five miles of the important city of St. Quentin and were close upon the fortress of La Fère, further south. At one point the rate of advance was 23 miles in three days. By the end of March the Anglo-French armies had occupied a sector sixty-five miles long, twenty-five miles broad at the widest part, and 1000 square miles in area, that is, about one-eighth of the French territory which had been conquered by the German invader. Several important towns and cities, notably

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Noyon, Chauny, Lassigny, Roye, Ham, Chaulnes, Péronne, and Bapaume, as well as a host of smaller places, were located within the occupied area. Roads, railroads, and bridges had been systematically destroyed; many of the towns had been ruthlessly laid in ruins, and numbers of the inhabitants carried off for internment or for labor.—At the beginning of April the Germans abruptly halted on the so-called "**Hindenburg Line**" (it was rather a series of defensive positions than a clearly defined line), which had been carefully fortified with redoubts, concrete shelters, hidden gun-emplacements, and barbed-wire entanglements, until it was deemed well-nigh impregnable. Hoping to crush the Hindenburg Line before its defense had been properly organized, the French hastened on toward Laon, only to be checked by the strong German positions in the Forêt de St. Gobain, west of Laon; farther north, British and French troops converged on St. Quentin, forming a semi-circle hardly two miles from the city, but again they were halted. Gen. Haig then attempted to take the Hindenburg Line in flank by launching a terrific drive just east of Arras, where the new German line joined the old. Immediately before the "**battle of Arras**" intrepid aviators secured 1700 photographs of the German trenches. In the attack northeast of Arras, toward Vimy, the Canadians lost 5,000 men, but with the valuable assistance of numerous "tanks," they clambered up the slopes and over the crest of the chalk hill called Vimy Ridge, then swept down into Vimy, and on into the very suburbs of the valuable coal city of Lens. Directly east of Arras, in the Scarpe Valley, the British General Allenby rushed through four lines of trenches and captured 9,000 prisoners. During the second week of this Battle of Arras, the British expenditure of ammunition was six times as great as in the corresponding period of the Battle of the Somme; in six weeks at Arras some two hundred thousand tons of shot and shell were hurled upon the Germans. By the end of April, the British had gained five miles on an eight-mile front east of Arras, captured 19,300 prisoners and 257 guns, and broken into the vaunted Hindenburg Line.—In the meantime the French had not rested on their laurels. Like two blacksmiths striking alternate blows on the clanging anvil, Haig and Nivelle hammered the German line. A great **French attack on the Aisne**, begun on April 16 along a twenty-five mile front between Vailly and Berry-au-Bac, drove the last German rearguard across the Aisne river, pushed the German line back from two to four miles on the hilly northern bank and delivered over 20,000 prisoners into French hands. Simultaneously Aubérive was captured, east of Rheims. A further advance was made the first week of May, when the French stormed the difficult ridge of Craonne and captured 6,000 men in two days' fighting.—Thirty miles north of Arras a commanding German position on the Messines-Wytschaete Ridge, overlooking the Belgian city of Ypres, was fairly blasted out of existence on June 7 by nineteen enormous mines, the detonation of which was distinctly audible 130 miles away in London.—In the latter part of June and during July the Germans delivered savage

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counter-attacks, first in the sector opposite Laon, then on the Yser River near the Belgian coast, then among the battle-scarred hills just west of Verdun, then against the plateaus north of the Aisne near Craonne ; while the Canadians slowly drew their lines closer to the coal city of Lens. By a sudden *coup* on July 31 British and French troops in Flanders won ten villages near Ypres.—From April 16 to June 30 the Allied armies captured 63,222 Germans and 509 guns.—In June a contingent of American troops led by General Pershing arrived in France to take its place shoulder to shoulder with the Belgian, British (according to Lord Northcliffe, Great Britain had 2,200,000 men at the front), French, Italian, Portuguese, Russian, and vari-colored colonial troops manning the trenches in the West.—See also France, *infra*, p. 60.

THE EASTERN FRONT.—While all along the northern two-thirds of the eight-hundred-mile Russo-Teutonic front, except for occasional isolated local engagements and demonstrations, the opposing armies lay deadlocked in impotent tranquillity, there was sanguinary fighting on the southern wing, where the restless General Brusilov with over a million men still strove to bring to fruition the **Russian offensive** inaugurated in June against Lemberg, the capital of Galicia, and Kovel, one of the principal railway centers in the Russian Polish province of Volhynia. Toward Kovel, resolutely defended by the German line behind the Stokhod River, Brusilov could make little further progress. In Galicia, the frontal attack on Lemberg was conducted by his most brilliant lieutenant, General Sakarov, who captured Brody at the close of July and advanced along the Dubno-Lemberg railway to within fifty miles of his goal, while further south Shcherbatchev and Letchitzky fought their way up the valley of the tortuous Dniester in the hope of rolling up the southern wing of the Lemberg army as Brusilov had done in August 1914. Gen. Shcherbatchev on the northern bank of the Dniester drove forward across the Strypa and the Zlota Lipa, two of the numerous streams which, flowing into the Dniester from the north, lie like so many parallel intrenched lines, fifteen or twenty miles apart, diagonally across the route to Lemberg. This advance imperiled the left flank of Count von Bothmer's Austro-German army-group, which had been clinging desperately to the middle Strypa and the upper Sereth. With greater haste than order, von Bothmer fell back westward. His next stand was on the northern portion of the Zlota Lipa, although the southern portion of this river had already been abandoned, and his left wing perforce bent back to the next, and last, of the river-trenches southwest of Lemberg, viz., the Gnila Lipa. Along the Narayuvka, a tributary of the Gnila Lipa, and around Halicz, a city situated at the confluence of the Gnila Lipa and the Dniester, sixty miles southeast of Lemberg, were fought some of the most sanguinary and indecisive battles of the whole campaign. Turkish reinforcements assisted the Teutons. Meanwhile, south of the Dniester, General. Letchitzky had kept pace with Shcherbatchev on the opposite bank ; he had overthrown an Austrain army at Tlumacz

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(August 7), occupied the city of Stanislau (August 10), and made a clean sweep of the region between the Dniester and the northern Carpathian slopes; he halted south of Halicz, in alignment with Shcherbatchev. His cavalry had ridden south along the railway through Jablonica Pass until they could look down upon the broad Hungarian plain below; but no attempt was made to cross the Carpathians in force. The net result of Brusilov's drive, which began on June 4 and achieved very little after August 15, may be summarized briefly; it had broken the hard crust of the scientifically fortified Austro-German intrenchments on a front of 250 miles from the Pripet to the Carpathians and had penetrated a distance varying from 20 to 60 miles; it had conquered the whole province of Bukovina, with a considerable slice of Galicia, and regained a large sector of Volhynia for Russian rule, in all, more than 7,000 square miles; it had inflicted enormous losses on the Central Powers, as may be inferred from the Russian official announcement that between June 4 and August 12 Brusilov's armies had captured 358,000 prisoners, or from the unofficial estimate of 1,370,000 Austro-German casualties (however, the Russian casualties were 1,800,000, by German accounts); it had rescued Italy (see last RECORD, p. 4), helped to relieve Verdun, and turned the scales of Rumania's indecision. The cessation of the offensive before either Kovel or Lemberg had been won, was ascribed by General Kuropatkin (as quoted in *Le Temps*) to paucity of guns and inadequacy of munitionment.—After sending an army to assist Rumania, Russia rested wearily during the winter and spring, the only noteworthy events on the Russian front being a protracted battle for Kapul Mountain, Kirlibaba, and Dorna Watra on the southern border of Bukovina, and an abortive Russian offensive in the extreme north, near Mitau, in January. The March Revolution (see *infra*, p. 62) was temporarily disastrous to the *morale* of the Russian army; the high command was disorganized by the rapidity with which commanders-in-chief were changed (Grand Duke Nicholas, then Gen. Alexeiev, then Gen. Brusilov), and the Russian soldiers in many sectors openly fraternized with the enemy. For the most part the Germans refrained from taking military advantage of this situation, although, by way of exception, the German army on the Stokhod stormed Toboly Bridgehead, April 3, and took 10,000 Russians captive. On July 1, however, the Russian army in Galicia, under the inspiration and personal leadership of the Socialist war minister, Kerensky, attacked on an eighteen-mile front, captured 10,000 prisoners, and took the town of Koniuchy. Directed primarily against Zloczow and Brzezany, east and southeast of Lemberg, the **new Russian offensive** within three weeks took 40,000 prisoners and captured Halicz and several smaller places. Then suddenly **mutiny** spread like a deadly contagion among the Russian ranks and the army of the Revolution fell back precipitately, relinquishing most of the Austrian territory Brusilov had conquered. One after another the towns of Tarnopol, Halicz, Stanislau, Buczacz and Kolomea fell, and even Czernowitz was

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gravely menaced.—**Rumania's intervention** late in August (for political aspect, see *infra*, p. 13) threw 600,000 trained soldiers into the balance in favor of the Allies and added 900 miles to the battle-line which Germany and her confederates were compelled to defend; nevertheless it afforded Field Marshal von Hindenburg, who became German chief of staff precisely at this moment, an opportunity for a spectacular stroke of aggressive strategy. With a buoyant confidence matched only by the amazing incompleteness of their equipment, the Rumanians marched to the conquest of Transylvania, much as the soldiers of Louis Napoleon had marched "to Berlin" in 1870. For a fortnight or more the Rumanians progressed rapidly; a fourth of Transylvania was conquered, all too rapidly. The latter part of September found the Rumanian armies wandering among the mountains deep in Transylvania; in some cases fifty miles or more of mountain-roads separated them from the frontier passes through which they had entered Austrian territory. The tragedy moved swiftly. General von Falkenhayn, former German chief of staff, now commander in Transylvania, suddenly swooped down upon the exposed Rumanian columns at Hatzeg and Vulcan Pass, September 19–23; at Rothenturm Pass, September 26–29; at Kronstadt (Brasso), October 8. By the middle of October von Falkenhayn had cleared Transylvania and was ready to descend from the north through the passes of the Transylvanian Alps into the Rumanian plains. The next blow, however, was struck from the south. Field Marshal von Mackensen, "deliverer of Lemberg" and "conqueror of Serbia," had already invaded the Rumanian coastal province of Dobrudja from the south with a composite Turco-Teutonic-Bulgarian army, stormed the fortresses of Turtukai (Tutrakan) and Silistria, and advanced to within gunshot of the only railway connecting Bucharest with the coast. He now swept northward through the Dobrudja, never pausing until he had driven the demoralized remnants of the opposing army fifty miles beyond the railway. The next move was von Falkenhayn's. In the third week of November he descended like an avalanche from the Transylvanian Alps, reaching Craiova, 75 miles south of the frontier, on November 21. In vain the Rumanian commander General Averescu turned at bay behind the Alt River, 90 miles west of Bucharest. While new Austro-German armies rolled down from the Transylvanian passes, von Mackensen crossed the Danube from the south and struck in behind Averescu's flank. The capital, surrounded by 36 armored forts and redoubts, Brialmont's pride, fell to von Mackensen on his birthday, December 6. In three weeks, from November 15 to December 6, he and von Falkenhayn had conquered most of Wallachia and captured almost 80,000 prisoners. A month later the conquest of Wallachia was completed, the last Russo-Rumanian rearguards were expelled from the Dobrudja, and the Turco-Teutonic-Bulgarian line reached the Sereth River, the cities of Braila and Fokshani, south of the Sereth, succumbing on January 4 and January 8 respectively. Altogether, 79,000 Rumanians were made prisoners and

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probably three or four times that number were killed or wounded. The extensive territory conquered by the Central Powers was valuable as one of the richest granaries and oil-fields of the Continent, although many of the oil-wells had been dismantled.

MACEDONIAN AND ALBANIAN FRONTS.—The fact that General Sarrail's expeditionary force in Greek **Macedonia**, north of Saloniki, despite the French, British, Serbian, Italian, Russian, and Albanian reinforcements which had brought it up to a strength of 600,000 or 700,000 men, undertook no serious offensive to assist Rumania, but contented itself with a miserable sham, tamely permitting the Bulgars in September to seize the Greek port of Kavala, gave rise to the keenest dissatisfaction in England and France. One member of the British House of Commons candidly declared his conviction that the supplies had been withheld from Sarrail deliberately in order to render the Macedonian army impotent and to cast it into discredit. At any rate, little genuine fighting was done in Macedonia, except by the reorganized Serbian army, 120,000 strong, which stormed the bleak, forbidding summit of Mt. Kaimakcalan on the Græco-Serbian border, forded the Tzerna River under fire, and shelled the Bulgars out of the Serbian town of Monastir; French cavalry entered Monastir on November 19. On the eastern wing of the Macedonian front the British army in June retired three miles on a fifteen-mile front east of the Struma River. In southern **Albania** General Piacentini's Italian expeditionary force gradually extended its lines, until it reached eastward to touch the left wing of Sarrail's army in Macedonia and southward to occupy the town of Janina in northwestern Greece (against Greek protests). On July 26 an Entente conference at Paris decided to withdraw the Italian, French, and British troops from Thessaly and Epirus (excepting a triangle opposite Corfu) "as soon as possible."

THE ITALIAN FRONT.—The disappointing deadlock on the Isonzo was at last broken, for a brief interval, early in August, when the Italians forged ahead for a few miles, winning their first substantial victory. For more than a year the Austrian town of Gorizia, on the east bank of the Isonzo, backed by commanding heights and flanked by the mountain-bastions of San Sabotino on the north and Monte San Michele on the south, had defied every Italian assault and blocked the advance toward Trieste. On August 4, however, Italian troops were sent forward through covered tunnels to storm Monte San Michele, and succeeded; San Sabotino likewise fell; and after a bloody conflict for possession of the Gorizia bridge, Count Cadorna's soldiers victoriously entered the city of Gorizia, August 9. Next day they pushed six miles farther eastward. About 15,000 prisoners were taken. After Gorizia, the next obstacle between the Italians and their goal, Trieste, was the Carso plateau, a long, low limestone ridge, whose hilly northern end, lying close to the coast northwest of Trieste, had been fortified by Austrian engineers with great ingenuity. By pertinacious attacks the Italians made slow progress southeast of Gorizia and gained a

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foothold on the northwestern rim of the Carso. The Italians launched a new offensive in May and made considerable gains in the Plava region, north of Gorizia, as well as on the western slope of Monte Hermada, one of the Carso's heights, less than thirteen miles from Trieste. In the Hermada region, the Italians occupied Medeazza and invested Duino.

TURKISH FRONTS.—Weakened, it would appear, to provide effectives for Brusilov's Galician offensive, four of the six Russian armies in **Asia Minor and Persia** suffered defeat at the hands of the Turks. The first Russian army, 45 miles west of Trebizond on the Black Sea littoral, and the second, striking west from Erzingan through the mountains of Armenia, alone were successful. The third, however, operating farther south in the region of Lake Van, was thrown back from Bitlis and Mush, August 7–8, and barely prevented the Turks from striking a shrewd blow at the rear of the first and second armies; Mush was regained a fortnight later but lost again on May 1. The fourth and fifth Russian armies were driven back in northwestern Persia. Worst of all was the plight of the sixth. From Kermanshah, near the Turco-Persian frontier, this army was hurled back almost two hundred miles into the interior of Persia, in August. Not until the Turkish Mesopotamian army had been shattered by the British in February did the Russians in Western Persia again occupy Hamadan (March 2) and Kermanshah (March 12) and advance to the frontier at Khanikin (April 5).—In **Mesopotamia** the fate of Townshend at Kut-el-Amara (see last RECORD, p. 7) was avenged by General F. S. Maude, who with an augmented British expeditionary force of 120,000 men recaptured Kut-el-Amara from the Turks, February 26, overwhelmed the Turkish army at Dialah, and made his triumphal entry on March 11 into the historic city of Bagdad, chief seat of Turkish power in Mesopotamia, anciently glorious as the center of the Mohammedan world. Joining hands with the Russians at Khanikin, Gen. Maude continued his victorious march up the seventy-five-mile section of the Bagdad railway to Samarra.—From yet another direction Asiatic Turkey was invaded by British troops. After repelling a Turkish attack on the **Suez Canal** early in August, an army of Australasians, Indians, and Englishmen skirted the Mediterranean coast eastward, occupied El Arish and Maghdabah, ninety miles east of the canal, and struck northward into **Palestine**; at Gaza on March 26–27 the British inflicted a loss of 8,000 men on a Turkish army 200,000 strong. Gen. Allenby took command on June 29.—On the **Arabian coast** of the Red Sea the fort at Saliff, 175 miles north of Aden, was captured by British naval forces on June 12. (See also Turkey in Asia, *infra*, p. 78).—Special committees appointed by the British Government to investigate the conduct of the Dardanelles expedition and of the Mesopotamian campaign issued reports revealing deplorable mismanagement and inefficiency in high places.

OPERATIONS IN AFRICA.—The sustained defense of German East Africa, the last German colony, was a genuine surprise to those who had looked for a native uprising against the Germans. Overwhelmingly out-

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numbered by the British, Belgian, and Portuguese armies which poured in from every side, the four thousand Germans with their loyal Negro troopers were astonishingly successful in opposing the invasion, and almost six months of fighting were required before the principal railway, from Ujiji to Dar-es-Salaam, could be conquered, in September. The Germans then took refuge in the hills south of the railway and continued their defiant resistance although ultimate defeat was inevitable.

CASUALTIES.—More impressive than the chronicle of battles and campaigns, with here a province conquered and there a citadel lost, is the record of the millions of casualties which were sapping the life-blood of the belligerent nations. Unfortunately, complete and authoritative data are not obtainable; but even from the unsatisfactory and fragmentary estimates at hand, the central fact emerges clearly that although potentially and probably actually inferior in numbers, the armies of the Central Powers, holding interior lines and enjoying a certain superiority, albeit a diminishing superiority, in strategy, equipment, and technique, were able to maintain their position with considerably smaller losses than were suffered by their opponents. By swiftly amassing a local superiority against some weak sector in the encircling lines, as in 1916 against Rumania, the Central Powers could win a brilliant victory there, while on other fronts their armies, everywhere inferior in force, could stubbornly stand at bay, thanks to the improved methods of modern trench warfare, yielding ground but slowly.—The grand total of the casualties of all belligerents was asserted by Mr. Arthur Henderson (a member of the British war council) to be in excess of the population of the British Isles (46,000,000); the number of men who had laid down their lives reached the staggering figure of 7,000,000. More conservative statisticians at Washington calculated that for the twenty-nine months from the beginning of the war to January 1, 1917, the dead numbered only 4,341,000; their computations showed that Russia, France, and Germany, in the order mentioned, had sustained the largest losses; in proportion to population France was far and away the most grievous sufferer, having lost 45 per thousand of population, as compared with 29 for Austria-Hungary, 24 for Germany, 18 for Russia, 15 for Turkey, 11 for Great Britain, and 6 for Italy; altogether the losses of the Central Powers were computed to be only 54 per cent of he losses of the Entente. An uncritical count of German casualty lists gave a total of 4,010,000 for German casualties to January 1, 1917, or 4,356,760 to June 1; but it was claimed that excellent medical care enabled a large number, possibly as high as 90 per cent of the wounded, to return to the front. Estimates of the German killed ranged from 900,000 to 1,500,000 for the first thirty-one months of the war.

AERIAL WARFARE.—Regarding the vital importance of the air service, little need be added to the remarks which have already appeared in these pages (last RECORD, p. 11), save that in activity, in perfection of type, and in numbers, the airplanes on the western front in 1917 sur-

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passed all previous records. The intensity of the battle for mastery of the air may be gauged by the fact that in two months, April and May 1917, no fewer than 1400 airplanes were shot down on the western front alone; this figure is the more striking as in the whole space of the first two years of the war the number of Allied aircraft destroyed was only 1,000 (German estimate) and the number of German airplanes shot down or injured only a little over 600 (French estimate). Zeppelin **raids on England** declined in frequency, possibly because the gigantic dirigibles were too vulnerable when attacked by airplanes with bombs and Lewis guns. Seven Zeppelins were brought down in England between March 31, 1916, and November 27, 1916; more than fifty were reported to have been destroyed elsewhere during the first three years of the war. Record-breaking aerial expeditions against England were carried out by German airplanes on May 25–26 and on June 13; the former caused 250 casualties, the latter 589, bringing the total for sixty German air raids to 2,373.—Anglo-French raids over Karlsruhe and other German cities likewise caused much damage and some loss of life; a single raid on Karlsruhe killed 30 men, 5 women, and 75 children.

MARITIME WARFARE.—On May 31, 1917, Germany celebrated the anniversary of the great German "victory" in the naval battle of Jutland; it was noted, however, that the German dreadnoughts made no attempt to win new laurels, but remained prudently in the shelter of mine-fields and coast-defenses, leaving to destroyer flotillas the hazardous enterprise of conducting occasional raids on the British coast and to submarines the supreme task of interrupting the Entente's maritime communications. The Allied navies, therefore, performed no active service, beyond policing the sea-lanes against Teutonic destroyer and submarine attacks; nevertheless the number of larger **warships destroyed** by mine, torpedo, or internal explosion included the Italian dreadnought "Leonardo da Vinci" (explosion, 248 lives lost, October 2), the Japanese battleship "Isukuba" (explosion, January 14), the Russian dreadnought "Imperatritsa Maria" (fire, October 20), the French predreadnoughts "Suffren" (torpedo, November 26), "Gaulois" (December 27), and "Danton" (March 19), the British predreadnought "Cornwallis" (January 9) and the British dreadnought "Vanguard" (explosion, July 9). Four large French troop transports were sunk in the Mediterranean, and several British transports in the Atlantic, with the loss of many lives.—The **British blockade** was drawn more tightly than ever now that it was no longer hampered by even nominal adherence to the restrictive regulations of the Declaration of London, which had been set aside in July 1916; more stringent methods were adopted to prevent the infiltration of foodstuffs and other supplies into Germany through Denmark, Sweden or the Netherlands; the contraband list was further extended; and in January a British order in council mapped out a new war zone in the North Sea, for the more effective denial of egress to German submarines and raiders.—The ingenious German effort to carry on com-

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merce *under* the British blockade, by means of **submarine merchantmen** like the "Deutschland," was more spectacular than practical, for the pioneer submersible merchantman, the "Deutschland," made only two trans-Atlantic voyages (the first to Chesapeake Bay, the second to New London), and the career of the "Deutschland's" sister-ship, the "Bremen," was either mythical or very brief. With an earnestness rather disproportionate to the occasion, the Entente Allies dispatched to neutral governments a vigorous note (August 23) urging that all Teutonic submersible vessels, whether merchantmen or warships, be sternly excluded from the right, which they would enjoy under ordinary international law, of entering and leaving neutral ports. The arguments supporting and the veiled threat accompanying the Entente's demand did not carry conviction but only excited "surprise" in Washington (note of August 31). Subsequently the American government maintained its policy of respect for existing maritime rules, even when a German war-submarine, the "U-53," entered the harbor of Newport, R. I.; the "U-53" was freely permitted to put out to sea again, and destroyed five merchantmen off the New England coast. The Dutch government repudiated the Entente's proposal to treat submarines as outside the law, but resolved to regard all belligerent submarines as warships. Sweden and Norway likewise refused compliance with the Entente's notes, though they required even merchant submarines to travel on the surface in full daylight with colors flying, when traversing their territorial waters. A Norwegian ordinance of October 13, debarring belligerent war-submarines from Norwegian waters, except in emergency, was vigorously resented by Germany.—Germany's reply to the Entente's new measures was the proclamation of a "**barred zone**" in which submarines would wage ruthless war against commerce, beginning February 1, 1917. On the plea that merciless "British tyranny" and British indifference to "the laws of humanity" rendered the resort to any expedient righteous if the war might be shortened thereby and further suffering avoided, the German government warned neutral powers that "sea traffic" would "be stopped with every available weapon" in certain prescribed zones surrounding the coasts of the British Isles, France and Italy, and in the Eastern Mediterranean. The flagrant interference of such a measure with legitimate commerce among neutral nations was but slightly mitigated by the demarcation of safety lanes leading to the Scandinavian countries, the Netherlands, Spain and Greece; American passenger vessels innocent of contraband might ply weekly between England and America by way of a special safety lane. The last-mentioned concession to America was enlarged on February 2 when Ambassador von Bernstorff offered to permit more than one American passenger vessel a week to sail for England. Postponing for a moment all consideration of the political consequences of the German declaration, it is of interest to examine the data at present available indicative of the success or failure of the **U-boat campaign**. Prior to the declaration of January 31, 1917, German and Austrian sub-

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marines had destroyed approximately 1500 ships during the first two years of the war and almost 900 in the six months from August 1, 1916 to January 31, 1917, making the total record of destruction for two and one-half years, in round numbers, 2,400 ships with a gross tonnage of 4,000,000, that is, about 8½ per cent of the world's total mercantile tonnage; bearing in mind the fact that the total ocean-going tonnage available for British commerce was probably not more than 18,000,000 tons and that of the world (except the Central Powers) not more than 25,000,000, we are led to the conclusion that the destruction of 4,000,000 tons, mostly ocean-going, was not a negligible success, nor on the other hand was it a decisive victory. Especially it must be emphasized that the effect of the German submarines was magnified by fear, as is well attested by the public assertion of the French minister of munitions that, by delaying the sailings of boats laden with steel from America, the submarine warfare had gravely hampered the munitionment of the French army. Given these facts, it seemed not unreasonable to calculate that if the German submersibles could, when unleashed, destroy a million tons a month, the war might be speedily terminated in Germany's favor. German statisticians believed that a year of ruthless submarine warfare would account for twelve million tons and bring the proud mistress of the seas to her knees. The *Kreuz-Zeitung* entertained the sanguine expectation of triumph in seven weeks. In actual fact, the shipping destroyed during the first month after the proclamation of the barred zone fell short of the anticipated million by more than half, according to an American estimate. With warmer weather, the activity of the U-boats became more alarming. The British government ominously discontinued its practice of periodically announcing the total tonnage destroyed, and began, instead, to report weekly the number, with no indication of the total tonnage, of the British vessels which had been sunk. The French minister of marine, however, admitted that in the first six months of 1917 some 3,500,000 tons were lost; deducting from this figure the 340,000 tons sunk in January, we have 3,160,000 tons as the admitted loss for five months of the new campaign. Lord Beresford placed the loss from January to July at 4,000,000 tons. German officials gave much larger estimates. Dr. Helfferich asserted that the U-boats had taken a toll of 1,600,000 tons in February and March; Dr. Pfleger claimed 1,100,000 tons for April; according to the New York *Staatszeitung*, 781,000 tons were sunk in February, 861,000 in March, 1,143,000 in April, 869,000 in May, and 781,000 in June (incomplete); a German admiralty statement at the end of June alleged that England had less than five million tons of shipping left for her non-military commerce. Calculations based upon official British statistics, on the other hand, and representing a more optimistic viewpoint, showed that after reaching its high-water mark in the third week of April, when 55 British merchantmen were sent to the bottom of the sea, the submarine campaign gradually subsided until in the first week of July only 17 British merchantmen were destroyed. In the 22

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weeks from February 18 to July 22, submarines attacked 1150 British ships, 740 successfully; the weekly average was 33 ships successfully and 18 unsuccessfully attacked; of the 740 ships destroyed, 435 were of more than 1,600 tons displacement, the total number of such ships in the British merchant marine being 3,500 at the outset. In other words, official British figures attested the partial success, but not the decisive victory of the submarine campaign.—With supermarine, as well as with submarine **raiders** Germany waged her war against the Allies' commerce. Like some bold corsair of an earlier century, Count von Dohne-Schlodien in the German auxiliary cruiser "Moewe" slipped through the British blockade in December, terrorized the South Atlantic for three months and with impunity returned to Germany, having destroyed or captured 27 ships (123,000 tons). Another raider, the "Seeadler," preyed upon shipping in the South Atlantic during the spring.

NEW BELLIGERENTS.—In launching its campaign of ruthlessly illegal submarine warfare, just as in its violation of Belgian neutrality thirty months previously, Germany in the hope of speedy victory was staking the success of its arms against the possible intervention of angered neutral powers. While the success of the submarine remained undetermined, the attitude of the neutral powers was not long in doubt. First of all the government of the United States of America (*infra*, United States and the War), long perturbed by submarine atrocities (see last RECORD, pp. 9, 14–16), severed diplomatic reltaions with Germany on February 3; guns were mounted on American merchantmen; and at length, on Good Friday, April 6, the United States declared war. The next day, the United States was joined by its faithful satellites, Cuba and Panama, the former declaring war and the latter promising support. In the meantime China (q. v.) had broken off diplomatic relations with Germany, March 14. A group of lesser powers followed suit: Brazil severed relations on April 10; Bolivia, April 13; Guatemala, April 28; Liberia, May 9; Nicaragua, May 19. Haiti (q. v.) held back, its congress averse to intervention, its president, who had been supported in power by American marines, strongly desirous of war. Brazil on June 28 took the further step of "revoking" her neutrality. Greece (q. v.) severed relations on June 28 and entered the war without repeating the declaration of war previously issued by the Venizelist insurgents. On July 22 the kingdom of Siam joined the Allies and declared war.—The indefatigable efforts of the Entente diplomatists to range **Rumania** on the side of the Allies bore fruit just at the opening of the third year of the war. Rumania's reluctance to mingle in the fray had been inspired by a prudent determination to wait until the outcome of the struggle was certain, and then to intervene on the winning side, as she had done in the Balkan War of 1913. By joining the Allies Rumania might possibly conquer Transylvania and neighboring provinces of Austria-Hungary, where dwelt three or four million Rumanians; or by casting her lot with the Central Powers she might seize Russian Bessarabia

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with its Rumanian inhabitants. On the whole, the sentiment of the government seemed to incline toward the latter alternative, since Austria-Hungary in 1915 had secretly promised the concession of greater liberties to the Transylvanian Rumanians; moreover, as a "Latin" nation, Rumania could hardly relish Russian pan-Slavism; finally, Rumania was bound to the Triple Alliance by formal treaties of more than thirty years' standing. In August 1916, however, German defeat seemed to be prefigured by the Anglo-French drive on the Somme, the Italian conquest of Gorizia, and the Russian advance in Galicia. Dr. Dillon asserts that on August 4 Rumania concluded her bargain with the Allies; she was to receive Transylvania and the other Rumanian districts of Hungary if she could conquer them. A member of the British House of Commons, however, made the statement, without contradiction, that the Russian government delivered an ultimatum to Rumania in August, compelling Rumania to reach a decision without delay. At any rate, on August 28 Rumania notified Austria-Hungary that she considered herself no longer bound by the treaty of alliance, and that a state of war had existed from August 27.—Rumania's close sympathy and fancied kinship with **Italy**, as a "Roman" nation, was delicately recognized when the latter country declared war against Germany on the very date of Rumania's intervention, August 27, to take effect the following day.—See also Scandinavian Kingdoms, Spain, Netherlands, Greece, *infra*.

PEACE SUGGESTIONS.—During the summer of 1916, while the Russo-Rumanian offensive and the Anglo-French drive on the Somme seemed to give promise of military victory, the statesmen of the Entente Powers were most emphatic in repudiating any kind of peace by compromise or by negotiation. With his characteristic picturesqueness, Mr. Lloyd George (then British minister of war) declared on September 28: "The fight must be to a finish; to a knockout." This uncompromising belligerency on the part of the Allies was intepreted by the German chancellor von Bethmann-Hollweg (in a speech on November 9) as a confession of aggressive lust of conquest: "The Entente Powers," he asserted, "had agreed in 1915 that Russia was to receive Constantinople, the Bosphorus, and the western shore of the Dardanelles with its hinterland;" "Asia Minor was to be divided among the Entente Powers;" and France was to have her *revanche* by re-annexing Alsace-Lorraine. The German government on the other hand, said the chancellor, had never indicated any intention of annexing Belgium. As an additional proof of Germany's pacific desires, he explicitly and emphatically affirmed Germany's willingness to join or even to lead a league to enforce peace.—In the same week that the German chancellor agreed to the principle of a league to enforce peace, a most important revelation of at least one aspect of the German program was made by the German and Austrian emperors, who conjointly published on November 5, 1916, a proclamation of **Polish independence**. Russian Poland was to be erected into "a national state with a hereditary monarchy and a

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constitutional government," in "intimate relations" with the Central Powers. Archduke Charles Stephen was presently chosen as regent. The Austro-German promise might have been more manifestly magnanimous had Austria and Prussia consented to surrender Galicia and Prussian Poland to make the new nation complete; but the Prussian government had no thought of yielding "German" territory to Poland, and the Austrian emperor contented himself with a pledge of greater autonomy for Galicia. In spite of its imperfection, the two-emperors' proclamation was hailed with noisy if not absolutely spontaneous jubilation in Warsaw. A separate Polish army was organized to fight against Russia. That the Central Powers had shrewdly stolen a march on Russian and Allied diplomacy became patent in the course of the next few weeks, as the Russian premier, in an earnest effort to overtake the enemy, gave his pledge (December 3) to "reconstitute Poland," *after* the war, "free within its ethnographical boundaries, but inseparably united with Russia," and the British and French premiers hastened to applaud Russia's belated "generous initiative." At the same time the Russian premier admitted Russia's designs on Constantinople and announced that the Allies had given their assent as long ago as March 1915.—Flushed by her spectacular military victory over Rumania in December, Germany in concert with her allies threw aside all diplomatic reserve and blurted out on December 12 a boast of "unconquerable strength" and a blunt proposal "to enter forthwith into peace negotiations." The **German peace offer** was contained in a circular note addressed by the Central Powers to neutral powers for transmission to the Allies, and in a separate note to the Vatican; it was publicly explained by the German imperial chancellor in a speech before the Reichstag. In the light of subsequent events it seems most probable that the German peace offer was not a confession of weakness on the part of the Central Powers but rather a scheme to place the Allies in a diplomatic dilemma: if the Allies consented to negotiate, seeds of dissension might be sown among them; if the Allies brusquely rejected the offer, the German government in continuing the war would then stand justified in the eyes of the German people and might resort to extreme measures, ruthless submarine warfare, for instance. The Entente chose the latter alternative. The French premier (December 13) denounced the peace offer as a "crude trap;" the Russian Duma (December 15) repudiated it as "a hypocritical act" and a "fresh proof of the weakness of the enemy;" the Italian foreign minister scornfully declared, "There is nothing in it;" Premier Lloyd George (December 19) insisted that to accept the German proposal would be "putting our heads into a noose with the rope end in the hands of the Germans." —Before the Allies had time to return a formal documentary reply to the German offer of peace negotiations, the public was startled by the unexpected **pacific intervention of the United States** (see United States and the War, *infra*, p. 20). In a most remarkable circular note under date of December 18 sent by Secretary of State Lansing to the ten Entente Allies,

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and, with slight modifications, to the four Central Powers, President Wilson called attention to the fact that while both the warring coalitions claimed to stand for the principle of a peace league, protection of small states, and security against aggression, neither group had definitely stated the "concrete objects" for which it was fighting. He therefore felt "altogether justified in suggesting an immediate opportunity for a comparison of views" as to the terms upon which peace might be concluded. Coolly received by the Allies, the Wilson note evoked enthusiastic endorsements from seven neutral powers (Switzerland, Denmark, Norway, Sweden, China, Persia, and Greece) and a not unfavorable reply from the Central Powers, December 26. Germany proposed "an immediate meeting of delegates of the belligerent states at a neutral place." While delaying their reply to President Wilson over three weeks, the Entente Allies conjointly prepared and finally on December 30 presented a collective note in reply to the German peace offer, which they characterized as a "war maneuver," a "sham proposal," "empty and insincere."—The Allies not only refused to negotiate, they declined even to state their own terms candidly. In lieu of a frank statement of their intentions regarding Alsace-Lorraine, Poland, Asia Minor, the German colonies, Constantinople, indemnities and the league to enforce peace, the Allies contented themselves with sonorous ambiguities: "reparation for violated rights and liberties, the recognition of the principle of nationalities, and of the free existence of small states." In their collective reply to President Wilson, under date of January 10, the Allies vouchsafed a clearer definition of the oft-repeated formula "restoration, restitution, and guarantees." "Restoration" meant evacuation of Belgium, Serbia, Montenegro, France, Russia, and Rumania; "reparation" meant indemnities; "restitution" meant the return of "provinces or territories wrested in the past from the Allies by force or against the will of their populations;" "recognition of the principle of nationality" meant the "liberation of Italians, of Slavs, of Rumanians and of Tcheco-slvaques (*sic*) from foreign domination," "the enfranchisement of populations subject to the bloody tyranny of the Turks," the "expulsion from Europe of the Ottoman Empire," as well as the establishment of a united Poland subject to the sovereignty of the Russian tsar. At last the Allies had given a tolerably concrete statement of the aims for which they were fighting, although captious critics still might cavil at their failure to explain how "the reorganization of Europe guaranteed by a stable régime" was to be effected; or what was to be done with the conquered German colonies (the British secretary for the colonies and the Japanese foreign minister announced in February that they were to be annexed by the conquerors); or whether "the restitution of provinces or territories wrested in the past from the Allies" should include the restitution of the Thirteen Colonies to Britain, the retrocession of Holland, Hanover, northern Italy and other Napoleonic possessions to France, and the return of the Dutch East Indies to Portugal, besides the obviously intended restoration of the "lost prov-

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inces" of Alsace-Lorraine to France. Conscious of the defects of the collective note, Mr. Balfour sent a supplementary British note three days later, in support of the contention that no peace agreement could endure unless first the grievances of oppressed nationalities be remedied, the Central Powers defeated, Turkey exiled from Europe, and "some form of international sanction" devised to restrain aggressors. Belgium also sent a separate reply, January 10, insisting upon "equitable reparation, security and guarantees for the future."—At this point the war enters on its second phase. In July 1914 Austria-Hungary by refusing to negotiate made herself responsible for precipitating the war; in January 1917 the Entente by refusing to negotiate and by insisting upon territorial conquests deliberately assumed the solemn responsibility for continuing the struggle. In waging implacable warfare against "Prussian militarism," the Allies were determined there should be no compromise or truce. Victory, a crushing military victory, alone would enable the Allies to humble Prussian militarism and to make the desired annexations. In this decision of the Allies the German government professed to see sheer "lust of conquest" and hypocrisy. The German note of January 11 attempted to prove that the charges against Germany were calumnious and that the Allies were in truth the real culprits, whose aggressive designs had caused the war and were now prolonging it. The German emperor on January 13 almost exultantly announced to his people: "Our enemies have dropped the mask, admitted their lust of conquest."—Again the United States intervened in the discussion of peace terms. In course of an extraordinary address before the Senate (*infra*, p. 20), January 22, President Wilson not only asserted that a just peace must recognize (1) equality of right as among great and small nations, (2) security of life, of worship, of industrial and social development for subject "peoples," particularly for a "united, independent, and autonomous Poland," (3) "direct outlet to the great highways of the sea" for every "great people," (4) "freedom of the seas," and (5) limitation of armaments; but also proclaimed his conviction that "it must be a peace without victory." To President Wilson's views the Allies could not accede; above all to "peace without victory." The German government, however, in the historic note of January 31, avowed its agreement with the principles of, "self-government and equality of rights for all nations," with particular reference to emancipation of Ireland and India; promised German cooperation in "all efforts to prevent future wars;" upheld "the freedom of the seas;" reiterated that the annexation of Belgium "had never formed part of Germany's intentions;" accused Britain of "brutal contempt" for "international law;" charged the Allies with the guilt of prolonging the war; and announced that Germany to defend her own existence and to shorten the sufferings of war had decided upon a campaign of ruthless submarine warfare. Germany's peace offer of December 12 was undoubtedly an adroit diplomatic maneuver to gain a pretext for unleashing the submarines, and an excuse, in the eyes of the German people,

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for continuing the war.—A new complexion was put upon the discussion of war aims in the spring of 1917, by the **Russian Revolution** (see Russia, *infra*, p. 62). As over against the accepted view of the Allies that peace must come by administering a military "knockout" to Germany, the revolutionary Russian workingmen envisaged a new hope, that peace might be achieved through the concerted efforts of the class-conscious proletariat in all countries. To their fellow-workingmen, especially in the Central Powers, the Russian workingmen issued a manifesto, March 28, advocating rebellion against autocracy. Two days later the Duma boldly attacked the Polish problem, and resolved that the Russian, German, and Austrian fragments of the Polish nation must be reunited and endowed with independence (save for a military union with Russia) under a form of government determined by a democratic Polish constituent assembly to be convened in Warsaw, presumably as soon as the Austro-German armies should be expelled. Although the Russian government in April disclaimed lust of territorial aggrandizement, and in May invited the Allies to restate their peace terms, Foreign Minister Milyukov was confessedly desirous of the conquest of Constantinople by Russia; against him the anti-annexationist workingmen raged, until in the third week of May he was excluded from the cabinet. The new foreign minister on May 19 reaffirmed the Russian desire for "a peace without annexation or indemnities and based on the right of nations to decide their own fate." But this did not necessarily mean a separate peace. Far from deserting the Allies, the Russian government rejected "all thought of separate peace," declared that defeat would be a calamity, and on May 23 expressly pledged assistance to Belgium. The offer of immediate separate peace, publicly made by von Bethmann-Hollweg on May 15, reiterated by the Austrian emperor on May 31, and secretly tendered, it is said, by military as well as by socialistic envoys of the Central Powers, met with no favorable response.—Meanwhile the Allies, at Russia's invitation, were engaged in revising their secret treaties with Russia and restating their terms. The French premier, M. Ribot, in a tactful speech on May 22, contrived to accept the Russian formula of "peace without annexation or indemnities" and in the same breath to demand the restoration of Alsace-Lorraine to France and the payment of indemnities to France, Belgium, Serbia, Montenegro, and, curiously enough, to Rumania. President Wilson in his reply to Russia, May 26, accepted the principle of no indemnities, with the proviso "except those that constitute payment for manifest wrongs done" and no annexations unless "for the purpose of securing those who inhabit it [the province in question] a fair chance of life and liberty;" furthermore, the "meshes" of the Bagdad Railway "intrigue" must be broken. To this pronouncement Great Britain and Italy courteously assented; the latter power explained that President Wilson's principles would permit Italy to annex Trentino, Trieste, Istria, Dalmatia and the Albanian part of Avlona;

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Rumania to annex Transylvania; Serbia to annex Bosnia-Herzegovina; and the Entente Powers to partition the Ottoman Empire among themselves. Premier Lloyd George found President Wilson's formula elastic enough to include the wresting of Mesopotamia and Palestine from Turkey (Dundee speech, June 30), and the disposition of German colonies more or less in accordance with the wishes, *mirabile dictu*, of the native populations (Glasgow speech, June 29). On July 11 Premier Ribot declared that France could not consent to a plebiscite in Alsace-Lorraine regarding the future of those provinces. A few days later, July 19, Chancellor Michaelis flung back the defiant statement that "no parley is possible with the enemy demanding the cession of German soil;" Germany, he said, would not continue the war "a day longer" for the sake of "violent conquests," but hoped for the negotiation of peace in a spirit of compromise (*Verständigung und Ausgleich*). Mr. Lloyd George promptly replied to the chancellor's "facing-all-ways speech" by asserting, "Germany dominated by autocracy we can never make terms with." Loyally backing up the prime minister's firm stand, the House of Commons cast a vote of 148 to 19 against a peace resolution (Mr. Ramsay Macdonald's) which demanded a restatement of the Allies' terms on the basis, recently approved by the German Reichstag's peace resolution (see Germany, *infra*), of peace without forced annexations.—Stung to the quick by an allegation that plans to provoke war had been agreed upon by an Austro-German conference on July 5, 1914, the German chancellor on July 28, 1917, gave an interview in which he accused France of having gained the consent of Russia (before the Revolution) for French plans to conquer Syria and German territory on the left bank of the Rhine in addition to Alsace-Lorraine. Premier Ribot on July 31 rejoined that the chancellor was distorting the truth. —New impetus was given by the Russian Revolution to the **international Socialist propaganda** for peace. More particularly after the Russian Council of Workingmen and Soldiers' Delegates issued its call in May for a congress of the Socialist *Internationale* and for the convocation of a peace congress, Socialist hopes began to revive. Stockholm was selected as the place of assemblage for a Socialist peace conference with delegates from the Central Powers as well as from the Entente countries. The desire attributed to the congress, however, of stimulating proletarian propaganda for immediate peace, and the possibility that the congress might lead to a separate Russo-German truce, induced the government of the United States to refuse passports to the American delegates. In connection with the congress, the German majority Social Democrats drew up a peace program, including provision for obligatory arbitration, limitation of armaments, free trade, "open door" for colonies, and democratic control of diplomacy; the German minority Socialists favored the restoration of Belgium and Serbia, the independence of Poland, and a plebiscite for Alsace-Lorraine. —See also Albania, *infra*, p. 74.

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OTHER DIPLOMATIC EVENTS OF THE WAR.—Many of the principal diplomatic maneuvers of the belligerent powers are treated under separate headings: See Maritime Warfare, *supra*, p. 10; New Belligerents, *supra*, p. 13; Peace Suggestions, *supra*, p. 14; United States and the War, *infra*, p. 20; China, *infra*, p. 77; Greece, *infra*, p. 72; and Rumania, *infra*, p. 74.

With a view to greater solidarity, the Entente Allies held occasional military and political conferences (see Greece, *infra*, p. 73), as in 1915–16. The fact that the diplomats of the Entente Powers had secretly negotiated treaties or conventions among themselves, guaranteeing the territorial annexations and other aims of the individual powers in the Entente group, had already been suspected, but it became publicly known in May, when the Russian revolutionary government demanded the revision of the secret agreements. On the other hand, in the camp of the Central Powers, war conferences were likewise convened and alliances drawn closer, it seems probable, by secret agreements. It may be that the lively discussions held in Germany and Austria-Hungary, and the Vienna conference in July on the subject of a Central-European economic union (more than a mere tariff union) will in future years be accounted, like the formation of the German Zollverein in 1833, a politico-economic movement of transcendent historical importance.

THE UNITED STATES AND THE WAR.—During the latter part of the year 1916 the United States seemed remote from active participation in the war. The undertaking which Germany had given in May (see last RECORD, p. 16) gave some promise of quieting irritation over the activities of submarines. President Wilson exerted himself not merely to keep the country out of war but to bring the war itself to a close. On December 18 he despatched an identic note to the belligerent powers (see Peace Suggestions, *supra*, p. 15, and Congress, *infra*, p. 33); and in this he expressed the hope that they would find an early occasion to define peace terms, and declared that the people of the United States stood ready and eager to co-operate in measures to secure the future peace of the world. On January 22 the President appeared before the Senate and described in general terms the bases upon which the peace of the world ought to be fixed at the close of the war (see Peace Suggestions, *supra*, p. 17). He considered it inconceivable that the United States should play no part in devising and maintaining permanent guarantees. He advocated "the doctrine of President Monroe as the doctrine of the world: that no nation should seek to extend its policy over any other nation or people, but that every people should be left free to determine its own policy, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful." To secure this end the war must close in a "peace without victory," "a peace between equals" without "a victor's terms imposed upon the vanquished;" and "if the

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peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind." But while the President advocated peace, incidents were occurring which made the neutral position of the United States more and more difficult to maintain. The secretary of state, explaining the purpose of the note of December 18, declared that, neutral rights of the United States being so involved, "we are drawing nearer to the verge of war" and "are entitled to know what each belligerent seeks in order that we may regulate our conduct in future;" and while he sought to allay anxiety by stating later that the government contemplated no change of policy, it was generally felt that the situation was more serious than appeared on the surface. **Submarine attacks** upon merchantmen had, indeed, become more frequent in the last months of the year. The "U-53," after making a brief stay at Newport, Rhode Island, sank five vessels off the Nantucket lightship. American torpedo boats rescued passengers and crews. This incident led the Entente Powers to request that belligerent submarines should henceforth be excluded from American waters, but the United States refused to accede. In the following weeks a large number of vessels, with Americans on board, were sunk, some of them under circumstances which seemed to conflict with the pledges given in the German note of May 5. A number of Americans lost their lives. The German government, responding to inquiries, sought to justify these occurrences. It was asserted that the "Seebeck," traveling without lights in the neighborhood of a hostile port, had been mistaken for a warship; that the American ship "Columbian" had summoned aid by wireless; that the "Caledonia" had attacked the submarine by ramming; and that in the case of the "Morina" and the "Arabia," both sunk without warning, the submarine commanders believed them to be transports. As a matter of fact the "Morina" was not at that time, and the "Arabia" never had been, a British transport. In spite of this exchange of notes the submarine war continued unabated. Seventeen Americans lost their lives when the "Russian" was sunk on December 14, the submarine commander alleging, mistakenly it appears, that the vessel was in the service of the British admiralty. Within the United States the **activity of German agents** continued, though the evidence was either withheld by the government or not brought to light until prosecution began. In San Francisco, 97 persons were indicted on the charge of conspiring to overthrow British dominion in India, and among the number were attachés of the German embassy and German consuls in American cities. Serious explosions occurred in several munition factories without their origin being discovered. On January 10 the German consul-general in San Francisco and four of his employees were found guilty of violating American neutrality by plotting to blow up munition shipments to Entente nations. Captain Franz von Rintelen and two others

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were convicted of conspiring to prevent the shipment of munitions to Entente nations (see last RECORD, p. 16). The jury disagreed in the cases of four others, including two former congressmen, tried at the same time. The deportation of Belgians for forced labor in Germany created a very unfavorable impression in the United States and led the government to lodge a vigorous protest. — The situation became far more critical when Germany declared her intention of pursuing **unrestricted warfare** in a zone around enemy countries, and sinking, after February 1, all ships met within that zone. One modification of the rule was offered: American passenger ships would be undisturbed if they sailed once a week, took a prescribed course, landed only at Falmouth, arriving on Sunday and departing on Wednesday, and carried no contraband. Under the terms of his note of April 18 the President had no choice but to **sever diplomatic relations** with Germany. On February 3, therefore, he appeared before the houses of Congress and announced that Mr. Gerard would at once be withdrawn from Berlin and that Count von Bernstorff would be handed his passports. He expressed the belief that Germany would not act upon her threat and "destroy American ships and take American lives in a wilful prosecution of a ruthless naval program." But, while he desired no war with Germany, he would again appear before Congress and ask for authority to protect American rights if any overt act should be committed. Next day the President urged neutrals to follow the example of the United States. The "overt act" was not long delayed. On February 7 the British ship "California," with American passengers on board, was sunk without warning off the coast of Ireland, and American lives were lost. Next day the British ship "Turino" was sunk without warning, one American life being lost. Americans were aboard the "Japanese Prince" and the "Manitola," sunk without warning. American transatlantic liners, unable to secure armament from the government, remained in port. Through the Swiss minister the government of Germany invited exchanges to arrange a modification of the German submarine policy, but on February 12 Secretary Lansing replied that no such steps could be taken until the blockade order had been withdrawn and broken pledges renewed. On February 25 the British liner "Laconia," carrying American passengers, was torpedoed without warning, an incident which did not become known in the United States until the 27th. Several Americans lost their lives. After weeks of delay and the accumulation of many overt acts the President applied to Congress, on February 26, for authority to supply merchant vessels with defensive arms and "to employ any other instrumentalities or methods that may be necessary and adequate to protect our ships and our people in their legitimate and peaceful pursuits on the seas." The administration itself presented a bill embodying the views expressed in the message. The House

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Committee on Foreign Affairs, however, did not approve of investing the President with large discretionary powers and introduced modifications which merely authorized the arming of ships and provided $100,000,000 for that purpose. By a vote of 403 to 13 the House passed the bill in this modified form on March 1. The Senate, occupied with other matters, did not enter upon debate till March 2, two days before the end of the session. A difference of opinion existed in the Senate. Mr. Stone, chairman of the Committee on Foreign Relations, wished to prevent the arming of ships which carried munitions. He spoke for four hours against the bill. Ten other Senators joined him in delaying action upon it (see Congress, *infra*, p. 34). This filibuster met with much public criticism, especially as the country had been roused by the revelation of a German **intrigue** with Mexico. It appeared that the German secretary for foreign affairs had proposed, in event of war with the United States, an alliance with Mexico, the latter to receive financial assistance and the states of Arizona, New Mexico and Texas as compensation. Japan was to be invited to adhere to the plan. The failure of the armed-ship bill because of the Senate filibuster led the President to act without legislative sanction. He announced on March 12 that merchant ships entering the submarine zone would be armed and supplied with naval gunners. The first armed liner reached England safely on March 26. In the latter part of the month a number of American ships were sunk, some without warning. — The crisis grew so acute that on March 21 the President called Congress to meet in special session on April 2 (two weeks earlier than had been originally set) "to receive a communication concerning grave matters of national policy." That communication took the form of a request that Congress "declare the recent course of the Imperial German government to be in fact nothing less than a **declaration of war** against the government and people of the United States." The world, he said, must be made safe for democracy. "Our object is to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power, and to set up among the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth ensure the observance of those principles." He advocated the utmost practicable co-operation with the Entente Allies and the provision of liberal financial credits for them, the marshaling of the material resources of the country for the purposes of war, the full equipment of the navy, and the raising by selective draft of 500,000 men in addition to existing forces, with subsequent levies as needed. Congress received the message with enthusiasm. In both branches a joint resolution was thereupon introduced declaring that a state of war had been thrust upon the United States. The resolution passed the Senate on April 4 by a vote of 82 to 6, the minority including three Democrats (Stone, Vardaman and

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Lane) and three Republicans (LaFollette, Norris and Gronna). The House followed suit two days later by a vote of 373 to 50. The majority included 193 Democrats, 177 Republicans, three independents; the minority, 16 Democrats, 32 Republicans, one Socialist, one independent. The Austrian government on April 8 and the Turkish government on April 20 severed diplomatic relations with the United States.—Immediately after the declaration of war steps were taken to ensure close **co-operation** between the United States and the Entente Allies. In April a British mission (headed by Arthur J. Balfour, the foreign secretary) and a French mission (headed by René Viviani, minister of justice, and Marshal Joffre) arrived in Washington. They placed at the disposal of the government much valuable information based on the experience of their countries in the war, and discussed the part which American resources should play. In visits to various cities they met with an enthusiastic reception. Italian, Belgian and Russian missions arrived later. In receiving the Belgian mission, on June 18, the President declared that "on the inevitable day of victory Belgium should be restored to the place she has so richly won among self-respecting and respected nations of the earth." The President despatched to Russia in May a mission headed by Elihu Root, and at the same time a group of railroad men to give advice in matters of transportation. The appointment of Mr. Root was criticized severely by radicals who asserted that the revolutionary government of Russia would have no confidence in so conservative a man; but subsequent events proved this apprehension altogether unfounded. The President sent cordial greetings to the Russian government, taking the occasion to warn it against German propaganda and restating America's war aims. The United States also made liberal provision for the financing of the Allies. Congress provided, in authorizing a seven-billion-dollar **loan** in the middle of April, that $3,000,000,000 of this sum should be invested in war bonds of the Allies bearing the same interest as the American bonds. In May the secretary of the treasury offered the first $2,000,000,000 of the war loan at popular subscription in denominations as low as $50 and bearing three and a half per cent interest, these bonds to be convertible into bonds bearing a higher rate of interest should a new series be issued at a higher rate before the end of the war. This "Liberty Loan" proved a great success, being oversubscribed by more than a billion dollars. Some 4,000,000 persons purchased the bonds. The first loan to the Allies was made on April 25; by the end of July more than $1,500,000,000 had been apportioned to Great Britain, France, Italy, Russia, Belgium and Serbia, according to the arrangements made with the foreign governments. Of this sum Great Britain received more than a third. Thus the United States made a prompt start in the one field where it was capable of taking immediate and effective action.—In view of the enormous ton-

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nage of transatlantic vessels sunk each month by German submarines, the question of making good this loss became one of the most serious problems of the war. On April 6 eighty-seven German ships in American harbors (aggregating 550,000 tons) were taken over by the government, and on April 9 fourteen Austrian ships. The building of **new tonnage** was entrusted to the Emergency Fleet Corporation (an adjunct to the Shipping Board), with Major General George W. Goethals as manager. A sharp controversy arose as to the relative merits of wood and steel for standardized construction on a large scale. William Denman, chairman of the Shipping Board, urged wooden construction; General Goethals condemned this plan as hopeless, and promised to have 3,000,000 tons of steel ships ready in eighteen months. After Congress had appropriated $750,000,000 for shipbuilding he announced definite plans which Mr. Denman was by no means ready to accept. The conflict between the two men became so embittered that on July 24 General Goethals resigned and the President requested the resignation of Mr. Denman. Rear Admiral W. L. Capps, chief constructor of the navy, succeeded the former; Edward N. Hurley, the latter. Bainbridge Colby of New York was appointed to the Shipping Board in the place of J. B. White, who had resigned with his chief.—The government early directed its attention to the conservation of the food supply, the fixing of the prices of necessities, and the regulation of common carriers. In April Herbert C. Hoover, head of the American Commission for Relief in Belgium, became chairman of a new board associated with the Committee of National Defense. Owing to delay in the passing of the food-control bill (see Congress, *infra*, p. 37), the president invested him with "full authority to take any steps necessary" to mobilize the forces of the country in the saving of food and the elimination of waste. At the same time, acting under powers conveyed by the Espionage Law, he created an advisory **export council** to regulate the export of those commodities over which supervision was necessary for the welfare of the United States and the Allies, all shipments being subject to license and being apportioned to foreign countries by the board. A principal object of the board is to see that the Allies receive the most generous possible part of the surplus of American products and that Germany receives none through neutral countries. In July many Dutch ships, loaded with grain, were held in American ports unable to secure licenses. A proclamation of July 9 enumerated many commodities subject to control, and the list was expanded occasionally afterwards.—On April 11, at the request of the Council of National Defense, the American Railway Association named a board of five men to direct the operation of American railways throughout the war and pledged loyal enforcement of the policies laid down by the board. Its first act was to give coal and iron ore a preference over all other traffic. On June 20 the Fed-

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eral Trade Commission proposed that, following the example of the Allies, the government should operate all the railways, with a reasonable allowance for public use of the property, and limit coal producers to a uniform profit per ton. President Wilson, in a statement of July 11, foreshadowed a general **fixing of prices** by the government. He informed mine operators, manufacturers, and shipping interests that the public must be served on the same basis as the government. "Prices mean the same thing everywhere now. They mean the efficiency or the inefficiency of the nation, whether it is the government which pays them or not."—The **naval forces** of the United States were early brought into war service, the destroyer flotilla under Rear Admiral Sims having reached the submarine zone on May 4. The plan of sending these destroyers to Europe was known in Berlin four days before they reached the port of Queenstown, apparently through the activity of German spies in Washington. Accidents on board three merchantmen during practice firing, in one case resulting in the death of two passengers, led to criticism of the Navy Department. Late in May investigation placed the responsibility on old and defective ammunition.—Military arrangements looked to the immediate increase of the **armed forces** to approximately 1,200,000 men, the regular army and the national guard to be brought to their maximum strength of 293,000 and 400,000 respectively by **voluntary enlistment**, and some 500,000 men to be raised under the conscription law (see Congress, *infra*, p. 35). Enlistment, though only for the duration of the war, proceeded so slowly that 687,000 men had to be raised in the first draft. On June 5 about 9,500,000 males between the ages of 21 and 30 registered for the **draft**; six weeks later the drawing of numbers took place. Preparations were made to distribute the new army, for purposes of training, among sixteen cantonments located in sixteen different states, while the national guard, now called into federal service, was mobilized in sixteen other camps. In various parts of the country anti-draft meetings were held and rioting occurred. In Butte, Montana, and Negaunee, Michigan, military force had to be employed to restore order. Many persons who neglected to register for the draft or who incited resistance to it were put under arrest.—Under the conscription law the President had been authorized to raise not more than four divisions of volunteers for immediate service at the front; in other words, to accept the offer of a volunteer division which Theodore Roosevelt had made. He did not avail himself of this authority. Immediately after the passage of the law it was announced that Major General Pershing would be sent to France with a division of regular troops. Pershing and his staff, after spending some days in England, arrived in Paris on June 13. On June 26 the first American contingent landed at a French port, having twice encountered submarines and driven them off. A month later the safe arrival o

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another contingent was announced.—With an appropriation of $640,000,000 the government developed very elaborate plans for the construction of a fleet of **aeroplanes** which will ultimately include 22,000 machines.

II. INTERNATIONAL RELATIONS

EUROPEAN AND ASIATIC RELATIONS.—After signing the very important convention of July 3, 1916 (see last RECORD, p. 18), **Russia and Japan** agreed upon several secret bargains in matters of detail; according to unofficial dispatches, Japan was to continue furnishing munitions to Russia; Japanese and Russians equally were to enjoy freedom of trade, travel and residence in Siberia, Mongolia and Manchuria; Japan was to have the right of navigating the Sungari River between Kirin and Petuna (in Manchuria); and Japan was to purchase from Russia, for $7,000,000, the Eastern Chinese Railway between Changhsun and the Sungari River, thus extending Japanese control northward a hundred miles deeper into Manchuria to within less than ninety miles of Harbin.—Apparently Japan received permission from Russia to use a firm hand in extending **Japanese influence in Southern Manchuria** and in Inner Mongolia. A clash between Japanese and Chinese troops at Cheng-Chiatun in August served as occasion for the presentation of a new series of **Japanese demands on China**, September 3, supplementing the demands granted in 1915. Japan asked not only indemnities, apologies, and punishment of the Chinese officers concerned in the affair at Cheng-Chiatun, but also the right to police Eastern Inner Mongolia, to instal Japanese military advisers throughout South Manchuria and Eastern Inner Mongolia as well as in the cadet school at Mukden, and to have first preference in the selection of foreign advisers and the negotiation of loans for those regions. In short, Chinese sovereignty over the Japanese sphere of influence in Eastern Inner Mongolia and Southern Manchuria was to be reduced to a mere shadow. The Japanese foreign minister, however, assured the United States that the demands did not violate the Root-Takahira "open door" agreement. After long negotiations and repeated protests, the Chinese government in February conceded the demands for indemnity, apology, punishment of the Chinese officers, and preferential rights (including the right to lease land) for Japan in Southern Manchuria and Inner Mongolia. The establishment of Japanese police stations and military advisers in Southern Manchuria and Inner Mongolia, however, was to be postponed, although conceded in principle. See also China, *infra*, p. 76).—Portuguese rights to the island of **Macao**, near Hongkong on the coast of China, were sold to Japan, according to the Overseas News Agency, March 19.—The revolutionary government in **Russia** was promptly recognized by the United States, March 22, and subsequently by Great Britain, France, Italy, Switzerland, and Japan.—See New Belligerents, *supra*, p. 13; Peace Suggestions, *supra*, p. 14; Other Diplomatic Events of the War, *supra*, p. 20; Turkey, *infra*, p. 72.

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AMERICAN RELATIONS. — The revolutionary disturbances in **Cuba** did not prove serious enough to require American intervention, as in 1906, under the Platt Amendment. The United States government did, however, issue a warning to the insurgents that it would recognize no government set up by organized revolt; and marines were landed at Guantanamo on February 28 and at Santiago on March 8 to protect sugar mills and other property. These marines were withdrawn before the end of March. President Menocal signified his complete satisfaction with the course of the United States throughout the uprising. — The joint commission appointed to adjust the differences between the United States and **Mexico** (see last RECORD, p. 20) met on September 6 and—with several protracted adjournments—continued in session until November 24. Many questions were discussed relative to the internal condition of Mexico, but Carranza refused to permit them to be the subject of any formal resolution. A protocol was agreed upon which provided that the American punitive expedition should retire from Mexican soil within forty days and that opportunities for co-operation between border patrols on each side of the line should not be overlooked. The American commissioners, in a supplemental memorandum, reserved for their government the right to pursue marauders into Mexican territory. In view of this memorandum, Carranza rejected the protocol itself; and the commission disbanded without having accomplished anything formally. On January 28 the secretary of war made formal announcement that "General Pershing has been ordered to bring his troops out of Mexico. The movement is to be an immediate one and is probably already under way." A week later the withdrawal had been completed; and on February 17 the national guard was ordered to return from the border for muster out of the federal service. As a counterblast to President Wilson's declaration of February 4 inviting neutral powers to follow the American example in dealing with Germany, Carranza issued a remarkable note a week later proposing that the United States and certain other neutral powers should stop all merchant traffic with belligerent nations, Entente and Central Powers alike, in order to hasten an early cessation of hostilities. Emboldened by Carranza's initiative, the government of Ecuador thereupon suggested a Pan-American conference to be held in Uruguay for the purpose of formulating a common policy. These proposals were generally supposed to have a German inspiration. On March 17 the United States informed Carranza that it could not participate in such a course. That Germany wished to use Mexico had become apparent when the State Department intercepted a note sent by the German foreign secretary to the minister in Mexico offering an alliance in case of war between Germany and the United States (see United States and the War, *supra*, p. 23). The Mexican foreign minister, on March 3, for-

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mally denied, however, that his government had been approached with the object of forming such an alliance. An even more emphatic denial came from Japan, which the German foreign secretary had desired Mexico to approach in the matter.—On November 29 the commander of the American forces in **Santo Domingo** (see last RECORD, p. 21) established martial law throughout the republic. This step was taken to ensure payment of interest on the foreign debt, effective government having broken down because of a deadlock between opposing political factions. Both Costa Rica and Salvador obtained favorable decisions from the Central American Court of Justice, in the **San Juan River** and **Fonseca Bay cases** respectively. Nicaragua, the court held, had infringed the rights of her neighbors by granting to the United States the right to canalize the San Juan River and to establish a naval base on Fonseca Bay.—**Argentina** was honored by the elevation of the Spanish legation to the dignity of an embassy in July 1916. A commercial treaty between Argentina and Paraguay was signed during the same month. Arbitration treaties with Spain and France were ratified by the Argentine congress in September and October, respectively.—An arbitration treaty was signed by **Brazil** and Uruguay, December 28.

III. THE UNITED STATES

THE ADMINISTRATION.—President Wilson was inaugurated for his second term on March 4.—On March 31 the President issued an executive order placing more than 10,000 postmasters of the first, second and third classes under the merit system, future appointments to depend upon competitive examinations.—The President appointed as members of the Shipping Board John A. Donald of New York, John B. White of Kansas City, William Denman of San Francisco, Bernard N. Baker of Baltimore, and Theodore Brent of New Orleans. After the resignation of Mr. Baker, Raymond H. Stevens was appointed; and further changes occurred because of a controversy over the shipbuilding program (see United States and the War, *supra*, p. 25). The President appointed as members of the Workmen's Compensation Commission Riley McMillan Little of Pennsylvania, Mrs. Francis C. Axtell of Washington, and John J. Keegan of Indiana; and as members of the Tariff Commission Professor Frank W. Taussig of Harvard University, chairman; ex-Congressman D. J. Lewis of Maryland, ex-Congressman William Kent of California, Daniel C. Roper of South Carolina, E. P. Costigan of Colorado, and W. S. Culbertson of Kansas. Other appointments included: John W. Garrett as minister to the Netherlands *vice* Henry Van Dyke resigned; Lieutenant-Colonel Chester Harding as governor of the Canal Zone in succession to Major-General Goethals; John Franklin Fort of New Jersey and William B. Colver of Minnesota as members of the Fed-

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eral Trade Commission; and Thomas G. Patten as postmaster of New York. Most of these appointments and some 1,400 others were made while the sixty-fourth Congress was in session; but the Senate took no action upon them, largely because of a controversy over the promotion of Dr. Cary T. Grayson to the post of medical director of the navy with the grade of rear admiral. It was only in the special session called at the opening of the President's second term that the Senate gave its ratification.

CONGRESS.—In its **first session** which closed on September 8, the sixty-fourth Congress enacted many laws of far-reaching importance. It reorganized the army, made unprecedented appropriations for national defense, and provided new sources of revenue to meet these heavy outlays. In forbidding the interstate shipment of the products of child labor and in establishing by law an eight-hour day for railroad employees, it gave a new emphasis to national authority; and hardly less notable was the expansion of government enterprise in commerce and industry by the adoption of the ship-purchase bill and the provision made for the manufacture of naval projectiles and armor plate as well as for the extraction of nitrate from the air by hydro-electric power. Several new administrative boards were created: a shipping board of five members, a tariff commission of six, a farm-loan board of five, and a compensation commission of three. The passage of the Philippines bill (see Dependencies, *infra*, p. 46) marked a new departure in colonial policy. Throughout the session executive pressure was constantly exerted upon the leaders of Congress. Although some of the measures recommended by President Wilson were highly controversial and evoked strong opposition, he eventually managed to force action on most of the important items of his program except the Porto Rico citizenship bill (see Dependencies, *infra*, p. 46). His success, which was particularly impressive in the case of the child-labor bill and the eight-hour bill, depended in part upon the disposition of Congress to accept executive leadership in a time of international crisis and in part upon the desire of Democrats to strengthen their position in the presidential campaign.—In making **appropriations for the army**, the Senate, taking a larger view of the necessities of national defense, added more than $125,000,000 to the House bill; when differences had been adjusted in conference, the aggregate amount stood at $267,596,530, or some $80,000,000 more than the House originally sanctioned. The same bill erected a Council of National Defense composed of six cabinet officers, and empowered it to co-ordinate transportation facilities and industrial resources in the interest of the national security. It gave the President authority, in time of war or threatened war, to utilize the transportation systems of the country for military purposes. Finally, it revised the Articles of War. President Wilson vetoed the bill on August 18

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because it exempted officers and men on the retired list from the operation of the military code; but he accepted it eleven days later when the objectionable features had been eliminated.—The naval appropriation bill (see last RECORD, p. 25) became law on August 29, after the President and Secretary Daniels had induced the House leaders to adopt the larger building program of the Senate. It carried roughly $313,000,000. Mr. Kitchin, chairman of the Committee on Ways and Means and Democratic floor leader, opposed the bill to the end, criticizing the president for lack of consistency and declaring that "the United States becomes the most militaristic naval nation on earth."—The **general revenue bill** (see last RECORD, p. 25) passed the Senate on September 6 by a vote of 42 to 16, all the Democrats present and five radical Republicans of the Middle West supporting it. In conference the changes made by the Senate (for the most part minor increases in the rates of taxation) were generally accepted, President Wilson signing the bill on September 8. An anti-dumping clause, designed to protect American industries from unfair competition, imposes penalties in cases where foreign commodities are sold at prices substantially below their prices in the markets of the world with the cost of importation and sale added. Other clauses prescribe methods of retaliation in the case of belligerent powers which discriminate against American products or whose merchant ships refuse, unless because of lack of cargo space, to carry such goods.—The **ship-purchase bill,** which had passed the House on May 20, made slow progress in the Senate (see last RECORD, p. 25). Amendments were adopted which reduced the shipping board to five members (two cabinet officers being eliminated to ensure a non-partisan personnel), reduced the salaries of the board from $10,000 to $7,500, and prohibited the purchase of ships flying a belligerent flag. The bill passed the Senate on August 18 by a strictly partisan vote of 38 to 21 and became law on September 7 after the House had concurred in the Senate amendments.—The **child-labor bill,** which had passed the House on February 2 (see last RECORD, p. 25), met with determined opposition on the part of Senators from the cotton states. The Democratic caucus, after first dropping the bill from its legislative program, finally gave way before the insistence of President Wilson. The bill passed on August 8, with only two Republicans (both of Pennsylvania) and ten Democrats opposing it. Afterwards, as modified by the Senate and accepted by the House, it excluded from foreign as well as interstate commerce all articles produced in establishments employing child labor.—On August 21 the friends of the immigration bill, which the Democratic caucus of the Senate had decided to hold over till the next session (see last RECORD, p. 26), carried a vote in favor of its consideration; but when President Wilson intimated that he would veto the bill, recalcitrant Democrats returned to the support of their party leaders and helped them to

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secure an indefinite postponement.—On August 29, when he had failed in his personal efforts to avert a nation-wide **strike of railroad employees** (see last RECORD, p. 34, and *infra*, p. 44), the President appeared before the Houses of Congress and asked them to provide legislative remedies. He recommended specifically the establishment of an eight-hour day for railroad employees, the appointment of a commission to observe the results, the prohibition of strikes or lockouts pending full public investigation of the issues, approval by Congress of the consideration by the Interstate Commerce Commission of freight-rate increases to meet any additional expenditures entailed by the eight-hour day, the immediate enlargement and reorganization of the Interstate Commerce Commission, and a measure permitting the Executive, in case of military necessity, to operate railroads and draft train crews and other railroad employees into military service. While these six proposals were closely related as parts of a general plan, it was impossible to act upon them all before September 4, the day set for the strike. The bill introduced by Mr. Adamson, chairman of the House Committee on Interstate Commerce, dealt only with the first two points. It established an eight-hour day at the existing ten-hour rate of pay and a commission to report upon the effects of the change within nine months. Notwithstanding the opposition of the Republican floor leader, Mr. Mann, the bill carried by a vote of 239 to 56, with 69 Republicans supporting it. In view of the need of prompt action the Senate abandoned its own bill, which empowered the Interstate Commerce Commission to fix the hours of labor and wages of interstate employees, and adopted the Adamson bill. The vote was 43 to 28 and followed party lines, the majority including only one Republican, La Follette of Wisconsin. In view of the approaching general election, Congress adjourned without proceeding farther with the President's recommendations.—The **second session** of the sixty-fourth Congress opened on December 4. In his message the President urged Congress to complete the legislation which he had proposed on August 29 and to enact bills dealing with conservation, Porto Rico, corrupt practices, the right of American exporters to combine for the purposes of foreign trade, and vocational education, these bills having already been considered in the previous session and most of them having been passed by the House. This program was somewhat expanded later, when cabinet officers asked for the adoption of various other measures, including a drastic espionage bill designed to safeguard American neutrality. An emergency revenue bill which was introduced toward the end of January also had the full administration support.—Only three of these measures were passed: the **Porto Rico bill** (see *infra*, Dependencies, p. 46) the **vocational education bill**, which appropriated a large sum for the advancement of industrial training; and the **revenue bill**, which pro

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vided for a bond issue of over $300,000,000, an increase of 50% in inheritance taxes, and an excess-profits tax of 8% levied on the net profits of corporations, joint-stock companies, and co-partnerships. This bill, approved by the Democratic caucus on January 26, passed the House on February 1 by a vote of 211 to 196, no Republicans supporting it and only four Democrats opposing it. It passed the Senate unchanged four weeks later. Mr. Kitchin, floor leader of the House, extolled the excess-profits tax on the ground that it would, 'in large part, be paid by those who were loud clamorers for preparedness, who, in every shape, fashion, and form, demanded of their representatives here these immensely increased appropriations for the army and navy."—The collapse of the President's legislative program was emphasized by his failure to persuade the Senate to ratify the treaty with Colombia (see last RECORD, p. 21) and the measure authorizing him to provide armament for American merchant ships engaged in transatlantic traffic (see United States and the War, *supra*, p. 23). But the chief rebuff which he experienced was in the case of the **immigration bill**. The bill, which had failed in the last Congress, was passed again by both houses and vetoed by the President on January 29. The President objected not only to the literacy test, but to a provision which permitted immigration officials to exempt from the test foreigners who, in their judgment, were fleeing from religious persecution, and which he feared might lead to international complications. On February 1 the House passed this bill over the veto by a vote of 286 to 106; the Senate, on February 5, by 62 to 19; the vote was non-partisan in both cases, rural members generally favoring the measure. This was the fourth time in a generation in which Congress has overridden a veto. — The apparent decline of executive influence was due in some cases to the character of the proposed measures, such as the one prohibiting strikes and lockouts pending a public investigation of the matters in dispute. But the chief reason was that both houses gave much of their time to the discussion of problems arising out of the **international crisis**. The President's peace note of December 18 (see Peace Suggestions, and United States and the War, *supra*) precipitated a long debate in the Senate when Mr. Hitchcock of Nebraska offered a resolution expressing approval of the note. Severe criticism came from the Republican side, Mr. Lodge declaring that it was so timed as to give improper support to Germany, and Mr. Borah declaring that it committed the government to a policy altogether inconsistent with the Monroe Doctrine. The resolution, as finally adopted, endorsed only that part of the note which invited the belligerents to state their peace terms. The House became involved in a different way. Transactions on the New York stock exchange made it obvious that the contents of the note had become known to certain speculators before reaching the public. A Boston

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financier made charges that the "leak" had occurred for the benefit of high officials in Washington who enjoyed the confidence of the White House and the State Department. On January 18, after long controversy, the House empowered its Committee on Rules to make an investigation; and this resulted, more than a month later, in a report which held two newspaper correspondents responsible for the leak and exonerated government officials. Early in February the Senate, after some debate, approved the President's course in **severing diplomatic relations** with Germany. The resolution carried by a vote of 78 to 5, the minority including two Democrats (Kirby of Arkansas and Vardaman of Mississippi) and three Republicans (Gronna of North Dakota, LaFollette of Wisconsin, and Works of California). During the last days of the session legislative business was delayed by a Republican filibuster, the caucus having, on February 23, adopted this course in order to compel the President to call a special session of the sixty-fifth Congress. Some Republicans, like LaFollette, feared that the President might otherwise involve the country in war; others, like Lodge, that he might fail to maintain his stern attitude toward Germany. But while the leaders approved of the dilatory tactics employed for days against the revenue bill, they had no sympathy with the determined opposition offered to the armed-ship bill. The President's appeal for authority to arm merchant ships and the action taken by Congress are dealt with elsewhere (see United States and the War, *supra*). Six Republican Senators (Clapp, Cummins, Gronna LaFollette, Norris and Works) and five Democrats (Kirby, Lane O'Gorman, Stone and Vardaman), taking advantage of the privilege of unlimited debate, prevented the bill being brought to a vote. Great bitterness developed during the course of the debate. The attitude of the Senate was shown by a manifesto in favor of the bill signed by thirty Republicans and forty-five Democrats. On March 4 President Wilson, in a public statement, condemned the "little group of wilful men, representing no opinions but their own," who had rendered the government "helpless and contemptible." He declared that it would not cure the difficulty to call a special session of Congress, because "the paralysis of the Senate would remain." The Senate should alter its rules "so that it can act."—It was not only the administration measures which suffered from the situation in Congress. While the Senate passed ten appropriation bills carrying an aggregate of nearly $1,200,000,000 ($535,000,000 for the navy alone), five others were not brought to a vote (army, military academy, sundry civil, general deficiency, rivers and harbors). Aside from the legislation already mentioned, a bill was adopted establishing **prohibition** in the District of Columbia. This bill occupied some time in the Senate before it passed on January 9 by a vote of 55 (28 Democrats) to 32 (22 Democrats). The House, after considering the advisability of referring the bill to

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opular vote, finally acceded to the views of the Senate. The post-ffice appropriation bill, as amended by the Senate and accepted by he House, excluded liquor advertisements from the mails in states vhich have laws against such advertisements, and prohibited the im-ortation of liquor into states which prohibit its manufacture or sale or beverage purposes, the latter provision applying even to states vhich permit importations for personal use.—On March 5 the Senate f the sixty-fifth Congress met in special session, mainly for the pur-ose of considering more than fourteen hundred presidential nomina-ons which had not been confirmed in the previous regular session. he President had intimated, however, that he expected a change to e made in the Senate procedure; and on March 8 a resolution was dopted curtailing the right of **unlimited debate** which had existed or the past 110 years. The new rule provides that two days after ritten notice by sixteen Senators closure may be applied by a two-hirds vote, each Senator being limited then to one hour's debate nd no amendment being entertained unless by unanimous consent. he rule was adopted by a vote of 76 to 3 (LaFollette, Gronna, Sher-an), after the President had been sharply attacked by Mr. Cummins nd other members of the "little group of wilful men." On March 5, when it had become evident that the treaty with Colombia would ot be ratified, the special session closed.—On April 2 the **sixty-fifth ongress** was convened in special session. There had been much peculation as to whether the Democrats would retain control of the ouse. Apparently the two major parties had equal strength, so that e decision would rest with five independents. But the absence of veral Republicans because of illness and the defection of others ho opposed the choice of the caucus, James R. Mann, gave the eakership to Champ Clark for the fourth time by a vote of 217 to 5. He received the support of all but one of the independents.—om the very outset, after passing the war resolution requested by resident Wilson (see United States and the War, *supra*, p. 23), Con-ess gave its attention almost exclusively to **war measures**. A bill hich provided for the raising of a large army by **conscription** was ought forward by the administration. It met opposition on the rt of those who, like the speaker and the floor leader of the House, lieved in the voluntary system. But on April 28 it passed both uses (the vote being 81 to 8 in the Senate and 397 to 24 in the ouse) without substantial departure from the original plan. Several atters had to be arranged in conference, particularly the ages of bility for service (which the House had fixed at 21 to 40 and the nate at 21 to 27) and the question of utilizing a limited number of lunteers. Theodore Roosevelt had offered to raise a division for im-ediate service in France; and while the House refused to make pro-sion for the acceptance of his offer, the Senate did so. The confer-

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ence report, as finally adopted in the middle of May, fixed the perio of liability at 21 to 30 and authorized the President to raise by volun tary enlistment a force not exceeding four infantry divisions. The ac provided that the regular army and the National Guard should b brought to maximum strength by voluntary enlistment for the perio of the war; that half a million or a million men, according to th President's discretion, should be raised by selective draft; that th quotas for the states and territories should be based on populatio credit being given for those already in military service; and that th pay of enlisted men should be increased from $15 to $30 a montl The act also described the various grounds for exemption from se vice.—Another administration measure, unanimously accepted by Co gress in the middle of April, provided for the issue of $5,000,000,0 in long-term **bonds** and $2,000,000,000 in one-year certificates of i debtedness, the interest in each case being at three and a half p cent. Of the aggregate sum, $3,000,000,000 was to be loaned to t Allies and the rest used to meet the war expenditures of the Unite States.—The large supplies needed for the war were voted with litt delay. On May 1, practically without debate, the House appropriate nearly $3,000,000,000 for military and naval requirements in the fir year of the war, this being in addition to the regular appropriatio bills; and early in June, when the houses had adjusted minor diffe ences, the bill became law. It included an appropriation of $750,00 000 for the purchase and construction of cargo ships under the supe vision of the Shipping Board. Toward the end of July Congre appropriated $640,000,000 for the establishment of an aviation servi with some 22,000 planes and a hundred thousand men. On July Secretary McAdoo submitted to the speaker "deficiency and suppl mental estimates" of the war department calling for an addition $5,000,000,000 for the year ending June 30, 1918, half the sum to be f armament of fortifications. He indicated to the Senate Finance Co mittee that the government would spend during the year nearly $1 000,000,000. On May 9 the Committee on Ways and Means reported the House a **war revenue bill** which was expected to produce $1,8 000,000. It provided for an income-tax increase ($535,000,000), a retr active war tax on 1916 incomes ($108,000,000), a flat increase of t per cent on all tariff duties and ten per cent on all articles now a mitted free ($240,000,000), an excess-profits tax ($200,000,000), an i crease of first-class postage from two to three cents ($70,000,00 and taxes on distilled spirits ($100,000,000), freight bills ($77,500,00 express packages, passenger tickets, electric light, gas, telegraph a telephone messages, automobiles and other articles. It also raised t postal rates on second-class matter. In its report the committee o served that sound economic policy requires "the present generati to bear a fair and equitable portion of the burden of financing the wa

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t recommended that the remaining expenses of the government for he current fiscal year and for the next fiscal year be met by taxation. The bill remained under discussion for two weeks. Few important hanges were made; and although, after Secretary McAdoo had unxpectedly announced that the bill should be drawn so as to yield nore than two and a quarter billions, all surtaxes on incomes over 40,000 were increased by 25 per cent, reductions were made in other ates. A proposal to lay a tax of $2.50 a bale on cotton was met by olid opposition from the southern members and was beaten by 137 o 116. The bill finally passed the House on May 23 by a vote of 329 o 76, the minority being entirely Republican. In the Senate, action as long postponed. On July 31 the finance committee was reported o have revised the bill so as to make it produce $2,000,000,000, mainly y additional levies on intoxicants and on personal and corporate ıcomes. The most important departure from the House bill was ı the matter of excess profits, these to be determined by comparison ith the average profits for the three years preceding the war and xed according to a graduated system.—It was early recognized that ıe winning of the war would depend to a large extent upon the ıpacity of the United States to supply itself and its allies with foodıffs. Two administration bills were laid before Congress at the end April: a **food production bill** and a **food control bill**. The first, hich passed Congress in June, empowered the secretary of agricule to make a survey of the food resources of the nation, to disibute seed in cases of special need, and in various other ways to tend the activities of the department. The second, based upon the ar power, gave the president power to fix maximum and minimum ices for food, fuel, clothing and other necessities, to regulate their oduction and distribution, and, if necessary, to requisition produc- factories, mines, and other establishments. The House passed is bill on June 23 with an amendment (adopted by a vote of 365 5) forbidding the use of food materials in the production of alcolic beverages except when the president, to prevent the waste of rishable products, should authorize the making of wine. The Senate ıde several important changes in the bill. One of these, adopted er long debate by a vote of 45 to 37, prohibited the manufacture and portation of whiskey during the war and directed the seizure of iskey in bond at cost plus ten per cent profit for the owner; a ond substituted for a single food controller a board of three; and hird erected a joint committee on war expenditures to be composed five Senators and five Representatives, this committee to "safeard the expenditure of the appropriations bearing upon the war as de by Congress." The bill passed the Senate on July 21 by a vote 31 to 6. In conference the Senate abandoned each one of the three endments just noticed: the first because of constitutional objec-

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tions, the phrase "reasonable compensation" being preferred; the second because President Wilson strongly insisted on the advantage of a single controller; and the third because he declared that such a committee would seriously embarrass him in the conduct of the war.—An espionage bill, introduced in both houses at the instance of the Department of Justice, was the occasion of much controversy for more than two months. The section providing for a press censorship was bitterly assailed. The House substituted a milder form of censorship with the safeguard of a jury trial; the Senate rejected it altogether on May 14. While the bill was in conference, President Wilson, in a letter to the chairman of the House Judiciary Committee declared that the censorship was "absolutely necessary to the public safety." Nevertheless, on May 31, the House rejected by a vote of 184 to 144 a censorship clause drafted by the conference committee thirty-six Democrats deserting the administration. A very important section of the bill, which became law on June 15, empowered the President to control American exports even to the point of establishing an embargo as a matter of war necessity. The purpose of this provision was to bring pressure upon neutral nations which had been trading with Germany.—A law which enlarges the membership of the Interstate Commerce Commission and permits rulings to be made by subdivisions of the commission was passed in June.

THE FEDERAL JUDICIARY.— The White Slave Traffic Act of 1910 applies to any case in which a woman is transported in interstate commerce for the purpose of prostitution or concubinage; pecuniary gain, either as a motive for the transportation or as an attendant of its object, is not an element of the offense defined (Caminetti v. U. S. 242 U. S. 470). The provision of section 9, article 1 of the Constitution, guaranteeing the privilege of habeas corpus, is not a limitation upon state action (Gasquet v. Lapeyre et al., 242 U. S. 367). A city exercising the police power may prohibit the erection of bill-boards in residence districts in the interest of safety, morality, health, and decency (Cusack v. Chicago, 242 U. S. 526). In the case of a person moving an engine attached to an intrastate car, the purpose of the operation, not the character of the car, must determine whether the said person was engaged in interstate commerce (Louisville and Nashville Railroad v. Parker, 242 U. S. 13). A state law designed to prevent fraud in the selling of securities, which affects securities coming from other states only in requiring that persons dealing in them within the state shall first be licensed, shall file information concerning them and be subject in such dealing to executive supervision, is not invalid as a direct burden on interstate commerce (Hall v. Geiger Jones Co., 242 U. S. 539). The Webb-Kenyon Act is a legitimate exercise of the power to regulate commerce; that power in the case of intoxicants, because of their character, extends to total prohibition

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of their transport in interstate commerce, and necessarily includes the lesser power of adapting the regulation to the various local requirements and conditions that may be expressed in the laws of the states (Clark Distilling Co. v. Western Maryland Railway, 242 U. S. 311). The admission of Iowa to the Union upon an equal footing with the original states and the adoption of a state constitution abrogated the guarantee of the Ordinance of 1787 (Hawkins v. Bleakly, 37 S. C. R. 255). Provisions of the Oregon law of 1913 limiting hours of service are within the police power; an hours-of-service law may be limited to employees in factories without making an unconstitutional discrimination (Bunting v. Oregon, 37 S. C. R. 435). Whether or not a state has violated the constitutional provision guaranteeing a republican form of government is a political question as to which the courts have no concern (Mountain Timber Co. v. Washington, 37 S. C. R. 260). The Workmen's Compensation Law of New York providing for compulsory compensation without regard to fault, except the wilful act of an employee to produce injury, or his intoxication, and graduating compensation according to earning power or dependency of survivors, does not violate the Fourteenth Amendment of the Constitution as limiting freedom of contract or taking property without due process of law; nor does the exclusion of farm laborers and domestics from the provisions of the act deny equal protection of the laws; nor does the provision requiring employers to furnish proof of their financial ability and to deposit securities deny equal protection (N. Y. Central Railroad v. White, 37 S. C. R. 247). See also regarding the Workmen's Compensation Law of Washington, Mountain Timber Co. v. Washington (37 S. C. R. 260) and regarding the Iowa law, Hawkins v. Bleakly (37 S. C. R. 255). The neutrality of the United States is violated by the action of a belligerent bringing a prize with a prize crew to an American port in order to lay her up indefinitely (Berg v. British and African Steam Navigation Co., 37 S. C. R. 337). Singling out employees engaged in the movement of trains by the act of September 3, 1916, does not render the statute invalid as denying equal protection of the laws, where such employees were alone concerned in a dispute threatening interruption of interstate commerce, to prevent which the statute was enacted (Wilson v. New, 37 S. C. R. 298). Interstate railway carriers are not denied due process of law by a law fixing the standard working day of railroad employees (Wilson v. New, 37 S. C. R. 298). Due process of law is not violated when damages are recovered under a law of Kansas for the death of a factory superintendent who was charged with safeguarding the machinery which killed him (Bowersock v. Smith, 37 S. C. R. 371). The implied power of the House of Representatives by way of contempt without criminal prosecution does not embrace punishment for contempt of the action of a federal district attorney in publishing a letter con-

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taining matter defamatory of the House or a committee; and in punishing for contempt Congress is limited to imprisonment during the session (Marshall v. Gordon, 37 S. C. R. 448). The right of an individual, under the Fourteenth Amendment, to engage in lawful business is infringed by an employment law of Washington making it a criminal offense to receive a fee from any person seeking employment (Adams v. Tauver, 37 S. C. R. 662).

STATE AFFAIRS.—On January 1 **prohibition** had been applied in 19 states: Alabama, Arkansas, Arizona, Colorado, Georgia, Idaho, Iowa, Kansas, Maine, Mississippi, North Carolina, North Dakota, Oklahoma, Oregon, South Carolina, Tennessee, Virginia, Washington, West Virginia. In seven other states the legislature passed acts under existing constitutional provisions or the people approved amendments to the constitution which become effective in 1918: Indiana, Michigan, Montana, Nebraska, New Hampshire, South Dakota, Utah; and a number of states adopted more stringent laws, in several cases forbidding absolutely the importation of liquor. Prohibition amendments will be submitted to the people of Illinois and Minnesota in 1918. The New York legislature in May adopted a local-option law applicable to cities. The New Jersey assembly, on February 26, rejected a local-option bill which had passed the senate. The voters of Missouri defeated a prohibition amendment. The progress of the movement was carried still further on January 8 when the Supreme Court, with only two justices dissenting, upheld the constitutionality of the Webb-Kenyon Law prohibiting the shipment of liquor from wet to dry states and upheld also a West Virginia law prohibiting the importation of liquor for personal use. New federal laws not only establish prohibition in the District of Columbia, but prohibit the importation of liquor into states which do not permit its manufacture or sale for beverage purposes (see Congress, *supra*, p. 34). — On January 22 the Supreme Court upheld the so-called "blue sky" laws of Ohio, Michigan and South Dakota which regulated the sale of securities.— **Woman suffrage** received a set-back on November 7 when in South Dakota and West Virginia constitutional amendments had been submitted to the voters. On the other hand, Indiana, North Dakota and Ohio by legislative act gave women the right to vote for all offices not established in the state constitution. Suffrage amendments will be submitted to the voters of Maine and New York in the autumn of this year.—One Negro was killed and several were injured during a race riot in New York city on May 27. In many northern cities antagonism developed because of the immigration from the South of Negroes who wished to take advantage of the advance in wages. The most serious situation developed in East St. Louis, Illinois, where, in July, 33 Negroes were killed and the military were called out to restore order. There were disturbances in Chester, Pennsylvania, and

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in several Maryland cities.—Anti-alien bills before the legislatures of Washington and Oregon were withdrawn in February after the Japanese government had made representations to the State Department.—With the declaration of war the Council of National Defense developed machinery looking to close co-operation with state agencies in many branches of activity which were important in bringing the full strength of the nation into play. The states themselves did much to increase the production of foodstuffs and to regulate their distribution. An informal military organization, known as the home guard, was established very widely to deal with possible emergencies and relieve the federal forces from such service.

MUNICIPAL AFFAIRS.—Women were elected as mayors in Umatilla, Oregon, in January, Valley City, Kansas, in May, and Moorehaven, Florida, in July.—The city-manager plan of government was defeated in Iowa City and Kansas City; adopted in Maplewood, Missouri, and Bryan, Texas. In Idaho a law was passed under which 25 per cent of the voters may require a referendum on the adoption of the plan. Champaign, Illinois, adopted commission government in March, and Sacramento, California, defeated a proposal to drop the plan in favor of a mayor-and-council charter.—The Chicago chief of police and other high police officials were arrested early in the year on warrants charging conspiracy and extortion. The hostile attitude of Mayor Thompson toward the entrance of the United States into the war brought him into conflict with the board of aldermen, which threatened impeachment proceedings and refused to confirm his nomination of the board of education.—On April 17 the voters of Cincinnati chose fifteen commissioners to draft a home-rule charter as permitted under the Ohio constitution.—On June 25 Samuel V. Perrott, chief of police, and five others were found guilty in Indianapolis of a conspiracy to commit election frauds in 1914.—In January the appellate division of the supreme court held that city employees in New York must be residents of the state and citizens.—In February Mayor Hiram C. Gill of Seattle, together with the chief of police and a former sheriff, was indicted for violation of the federal liquor laws and for the acceptance of a bribe from a firm of druggists which desired protection in the illegal selling of liquor.

THE CAMPAIGN AND THE ELECTIONS.—The nomination of Charles Evans Hughes had been made with the promise of reuniting the Republican party; after Mr. Roosevelt withdrew from the campaign as presidential candidate of the Progressives, that object seemed a clear achievement. There was, however, a dissentient minority in the Progressive party; and although it was finally decided not to hold a second convention and nominate a new candidate in Mr. Roosevelt's place, this minority did in some states offer John M. Parker of Louisiana for the vice-presidency and so contributed to the success of Mr.

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Wilson.—The President himself did not take an active part in the campaign. He delivered a few non-partisan speeches in the Middle West, but otherwise spoke only to visiting delegations at his summer home, Shadow Lawn, New Jersey. Perhaps this dignified attitude, like that of McKinley in 1896, helped his cause. The speech of acceptance while dealing mainly with positive achievements of the administration did not avoid controversial subjects; the policies which had been most under criticism were vigorously defended. Mr. Bryan, in spite of his differences with the President, gave material help by speaking in twenty different states. — Mr. Hughes traveled extensively, making addresses in seventeen states between the Atlantic and the Pacific. His attitude did not create a wholly favorable opinion because of his failure to present any really constructive ideas; the main theme of his discourses was a criticism of the eight-hour law (see Congress, *infra* p. 32) which a majority of Republican congressmen had supported but he made capital of Mr. Wilson's shifting of policy in relation with Mexico. It seemed that he avoided touching upon the complications with Germany. This appeared all the more singular because Mr. Roosevelt, supporting the Republican ticket, subordinated all other issues in condemning the weak attitude of the Democratic administration in the face of German affronts. The impression grew that Mr. Hughes was looking to the German-American vote in the Middle West and counting on the Roosevelt influence to win the northeastern states. It seemed also that he looked to the conservative wing of the Republican party for support; in California he associated himself with elements which were hostile to Governor Johnson and were identified with corporation interests.—The Republicans spent more money than the Democrats, some $2,441,000 as against $1,685,000 and the contributions came from 170,000 individuals as against 34,000 —The Maine election of September 11 seemed favorable to a Republican victory in November; and indeed the **vote** in the electoral college was the closest since 1876: 276 for Wilson and 255 for Hughes. President Wilson, although losing the so-called "pivotal" state of New York, was the first Democratic president since Jackson to succeed himself. He received a popular vote of 9,068,984 out of 18,303,09 which was less than a majority, but half a million more than Hughes received. The vote for Benson (Socialist) was 487,651; for Hanl (Prohibition) 164,642; and for Reimer (Socialist Labor) 10,105. Wilson proved stronger than his party. He won California, where Senator Johnson had a plurality of nearly 300,000; Washington, where Senator Poindexter had a majority of 67,000; and Kansas, where Governor Capper had a majority of 162,000. The results indicated either the strength of Wilson with the Progressives or the weakness of Hughes.—The Democratic control of **Congress** was reduced, but not destroyed. In the Senate the majority declined from 16 to 12; and

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the House the strength of the parties was so evenly balanced after the elections that it seemed doubtful if the Democrats could organize the House (see Congress, *infra*, p. 35). — In the states eleven **governors** were chosen for a second term. They were Holcomb (Rep. of Conn.), Alexander (Dem. of Idaho), Capper (Rep. of Kan.), Stewart (Dem. of Mont.), Whitman (Rep. of N. Y.), Beeckman (Rep. of R. I.), Manning (Dem. of S. C.), Rye (Dem. of Tenn.), Ferguson (Dem. of Texas), Lister (Dem. of Wash.), and Philipp (Rep. of Wisc.). Of the 23 new governors, 12 were Democrats, 11 Republicans. Democratic governors succeeded Republicans in Colorado, Ohio, Utah and West Virginia; and Republican governors succeeded Democrats in Arizona, Illinois, Indiana, Michigan and New Jersey.—In April a convention of the **Socialist** party at St. Louis adopted an attitude of hostility towards the entrance of the United States into war with Germany; and in a referendum this attitude was endorsed by a vote of 21,639 to 2,752 (July 7). In view of the fact that the party was dominated by German sympathizers a number of prominent Socialists, including John Spargo, William English Walling, J. G. Phelps Stokes, Upton Sinclair and Allan Benson (presidential candidate in 1916), severed their connection with it.

THE RAILROADS AND THE TRUST PROBLEM. — Eight "open shop" companies manufacturing woodwork sought an injunction in the federal courts because of the boycott placed upon their products by the New York carpenters' union, strikes having been ordered in the case of all building operations where the open-shop materials were used. The district court, while admitting that the union had violated the Sherman Law, held that a private litigant had no standing in court to enjoin the combination, only the public prosecutor having power to bring proceedings. The circuit court of appeals and, on June 11, the Supreme Court sustained this decision. — On March 10 the United States circuit court of appeals at Kansas City held that the control of the Central Pacific Railroad by the Southern Pacific did not come within the prohibitions of the interstate commerce acts.—The railroads made an urgent petition to the Interstate Commerce Commission for a general increase of fifteen per cent in **freight rates** and for a higher rate to be authorized after June 1. This request was based upon higher operating costs owing to the advance in the prices of coal and steel as well as the increased wages to be paid under the eight-hour law. Early in May the railroads presented their arguments. On June 29 the commission rejected their demand for a horizontal increase of 15 per cent, believing that an improvement was beginning to manifest itself in railroad earnings. It did, however, allow to the eastern roads a somewhat higher rate on class schedules and to the western and southern roads a 15 per cent increase in the tariffs on coal, coke and iron ore.—Fifty-five coal operators and 108 corpora-

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tions were brought to trial in New York charged with violation of the Sherman Act by combining to fix the prices of smokeless and semi-bituminous coal produced in Virginia and West Virginia. On July 12 the jury returned a verdict of not guilty.—The Federal Trade Commission, after investigating the prices of news-print paper, found that there had been no real shortage of paper, but that unreasonable profits had been obtained by means of combination. The manufacturers, on March 3, agreed to have the commission fix prices. Five weeks later five members of the executive committee of the manufacturers' association and two other men who had assisted in extending the influence of the association were indicted by a federal grand jury in New York under the Sherman Law.—On June 2 twenty-five individuals and firms were indicted at Chicago under the Sherman Law for attempting to secure a monopoly in butter and eggs.—On May 24 eighty-eight individuals and corporations were indicted at Boston on the charge of conspiring to monopolize interstate commerce in onions.—The Federal Trade Commission recommended, on July 26, that Congress should immediately consider legislation which would protect the public against the "indefensible" and "extortionate" prices being charged for certain commodities which had been in unusual demand since the United States entered the war.

CAPITAL AND LABOR. — It was announced on August 8 that a poll of the four **railroad brotherhoods**, with a membership of 400,000, had shown ninety per cent favorable to a strike (see last RECORD, p. 35). At the same time the American Federation of Labor pledged "its support and sympathy in the effort to accomplish that which is fundamental for the protection and betterment of the railroad men." The United States Board of Mediation and Conciliation failed to bring the two parties to an understanding or to persuade the trainmen to accept arbitration; and in a last effort to avert what promised to be a national calamity President Wilson intervened personally on August 13. Believing that "the eight-hour day now undoubtedly has the sanction of the judgment of society in its favor and should be adopted even where the actual work to be done cannot be completed within eight hours," he proposed: (1) that the eight-hour day should be established, (2) that a commission should be appointed to observe and report upon the results, and (3) that the settlement of other matters in dispute should be postponed until the effect of the eight-hour day had been determined. These proposals, though acceptable to the trainmen, were rejected by the railroad presidents, who put forward counter-proposals. But meanwhile, having grown impatient of delay, the representatives of the brotherhoods issued a **strike order** to become effective on September 4. Unable to secure the withdrawal of the order, the President now took the only course remaining open to him. In his message of August 29 he asked Congress for imme-

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diate **legislation** establishing the eight-hour day (see Congress, *supra*, p. 32). For the moment peace was restored; but the railroads applied to the courts for injunctions to prevent the enforcement of the new law, which they condemned as unconstitutional. A test case was carried to the Supreme Court in November in the hope that an early decision would be reached; but as months passed by, the trainmen grew weary of waiting and once more issued a call for a strike which was to begin on March 17. President Wilson thereupon appointed a committee (including Secretaries Lane and Wilson) to impress upon railroads and trainmen alike the necessity of coming to an agreement in view of the international crisis. Both sides made concessions, the brotherhood agreeing to postpone the strike for two days. On March 19 the Supreme Court upheld the constitutionality of the law, four justices (Pitney, Vandevanter, Day and McReynolds) dissenting. The majority held that the law was neither unworkable, confiscatory, experimental, nor in excess of the power of Congress to regulate railroads; it was in effect a resort to compulsory arbitration, the exercise of a power which Congress undoubtedly possessed and which "inevitably resulted from its authority to protect interstate commerce in dealing with a situation like that before it."—On April 8 the leaders of organized labor, conferring at Washington, pledged unqualified support to the government for the duration of the war; they promised to use every influence to prevent claims being pressed for a change in existing industrial conditions. The Industrial Workers of the World, however, showed no disposition to accept this agreement. In the month of July they precipitated serious labor disturbances, especially in Arizona and New Mexico. A strike of copper miners at Globe and Bisbee, Arizona, assumed such a dangerous character that application was made for federal troops to repress rioting. The presence of troops at Globe prevented any further outbreak of violence. But the situation became steadily more acute at Bisbee because of the popular belief that the I. W. W., which had fomented the strikes, was working in the German interest. On July 12, members of the Citizens' Protective League deported more than 1100 adherents of the I. W. W. Similar deportations occurred at other places. On August 1 Frank Little, member of the executive board of the I. W. W., was lynched by a band of masked men at Butte, Montana.—On December 13 about 60,000 clothing workers in New York city struck for higher wages and shorter hours. The strike ended in January when the demands were conceded, including a 48-hour week. On August 4 a three-months lockout of cloak, suit, and skirt workers in New York was ended by a compromise agreement affording many advantages to the workers. On October 6, employees of the Standard Oil Company at Bayonne, New Jersey, struck for a wage increase of 30 per cent, an eight-hour day, and better conditions of labor. The strike, which

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spread to other plants, was unsuccessful.—On July 28, switchmen belonging to the Brotherhood of Railway Trainmen and employed by 19 railroads in the region of Chicago struck to enforce their demands for reasonable rules regarding employment, promotion and dismissal. An agreement was reached with the managers' committee two days later, the men abandoning their insistence on the closed shop.—In May three shipyards at Camden, New Jersey, were crippled by a strike of carpenters, joiners and calkers, who demanded an eight-hour day, an advance in wages, and time and a half for overtime. In July 4,000 men employed in Brooklyn and Hoboken yards struck for a minimum wage of $4.50, the 12,000 other employees remaining at work. One company granted the demands almost immediately, but the others held out. The strike spread to Staten Island yards on July 20. — On April 25, anthracite coal miners in the East won wage increases averaging 20 per cent, after conferences with the operators. On April 30, mine workers in the bituminous fields of central Pennsylvania secured an advance of 20 to 30 per cent in wages, the operators also agreeing to assume without charge the burden of collecting union dues and paying the money to the local unions with detailed statements. In July more than 7,000 coal miners in western Kentucky struck for an increase of wages and improved working conditions.— In July a final settlement was reached in the case of the Danbury Hatters, against whom a judgment of $252,000 had been entered (see RECORD of December 1915, p. 721). Part of the money was raised through the American Federation of Labor.—The secretary of labor estimated that in the last two months of 1916 wage increases of five to ten per cent were given to 1,118,000 workers.

THE DEPENDENCIES — The Jones bill for the government of the **Philippines** (see last RECORD, p. 37) became law on August 29. In its final form, as agreed upon in conference, it promised independence at some indefinite time in the future, "as soon as a stable government can be established." The vote in the Senate was 37 (all Democrats) to 22 (including one Democrat). President Wilson described the law as "a very satisfactory advance in our policy of extending to them self-government and control of their own affairs. It is only by such means that any people comes into contentment and into political capacity, and it was high time that we did this act of justice." — In February Congress passed the bill amending the organic law of **Porto Rico** (see last RECORD, p. 38). It extends United States citizenship to the Porto Ricans and supplants the appointive system with the elective in the choice of the Senate.—The Danish West Indian Islands (St. Thomas, St. Croix, and St. John) passed into the possession of the United States on March 31. The treaty authorizing the exchange of sovereignty and the payment of $25,000,000 by the United States was ratified by the American Senate on September 4 and by the Dan-

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ish parliament in December after a referendum to the people. The islands will henceforward be known as the Virgin Islands.

IV. LATIN AMERICA

MEXICO.—Skilfully guided by First Chief Venustiano Carranza, the Constitutionalist Revolution received its triumphant consummation in the year 1917. The three-cornered civil war between Carranza, Villa, and Zapata was virtually won by Carranza in the winter of 1916–1917. The troublesome "land reformer" and guerrilla leader Zapata no longer terrorized the region around Mexico City. Pancho Villa, outlawed and reduced practically to the status of a bandit, remained so long in concealment among the northern mountains that he was reported dead; and although in the autumn he emerged to swoop down in bold raids upon one after another of the towns of northern Mexico, Chihuahua City, Parral, Jiminez, Santa Rosalia, and others, he met defeat in January at the hands of General Murguia, and was eliminated as a serious factor in the political situation.—After February 5 the pursuit of Villa was left entirely to Carranza, the American punitive expedition having been withdrawn (see American Relations, *supra*, p. 28).—In the meantime, far-reaching **democratic reforms** had been inaugurated. At one bold stroke Carranza destroyed the bureaucratic system of appointive municipal officers, a system under which "bossism" and corruption had been notoriously prevalent; for the first time in the history of the republic, democratic municipal elections were held throughout the length and breadth of the land, September 1, 1916. On September 30, furthermore, Carranza decreed the abolition of the vice-presidency, reduced the presidential term from six years to four, and declared that no president could be re-elected; these provisions, he believed, would serve as guarantees against the establishment of a despotism such as that of Diaz. The call had gone forth on September 14, 1916, for the convocation of the long-promised Constitutional Convention which was expected to emancipate the peon and democratize the government. In order to make sure that the convention would be thoroughly democratic in spirit, suspected reactionaries and enemies of the Constitutionalist Revolution were excluded from the elections (October 22) to the convention. At length, on December 1, the Constitutional Convention held its solemn opening session, in Iturbide Theater. Some 150 delegates were present, representing every state but one, Chiapas. An ambitious program of political, judicial, agrarian, ecclesiastical, and industrial reforms was outlined by Carranza. With amazing celerity the convention accomplished a tremendous task. In two months the **revised constitution** was drafted, signed, January 31, and promulgated, February 5. Under the new constitution Mexico became, in theory, the most advanced radical democracy of the world. Supreme power was vested in the president and the bicameral congress, elected by universal male and female suffrage. The president could not be re-elected. There being no vice-president, in case of

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the president's demise, his successor should be chosen by congress. So much for political democracy. Judicial democracy was the aim of a whole series of measures, the most interesting of which was the provision of free justice, without court costs. To secure social justice, a radical code of labor legislation was drafted, providing for the fixing of minimum wages by state authorities, compulsory profit-sharing, an eight-hour day and a six-day week for industry, compulsory arbitration, a free employment bureau, and a national department of health. There were also drastic anti-trust laws. What had been advertised by apologists of the Constitutionalist Revolution as the fundamental purpose of the revolution, to wit, the emancipation of the peon from the yoke of an oppressive landed aristocracy, was undertaken in a much less radical spirit than might have been anticipated. There were, however, a number of helpful measures, such as a law for the restitution of communal and tribal lands to the ignorant villagers or semi-civilized Indian tribes from whom they had been taken by grasping *haciendados*. In ecclesiastical matters, on the other hand, the convention evinced a decidedly radical temper; the religious orders were expropriated; the churches, as well as the schools and hospitals owned by the church, were declared confiscate to the government; American Protestant missionaries were excluded and the numerous Spanish priests practically exiled by a provision that all clergymen must be of Mexican birth; all clergymen were prohibited from teaching in public schools or even in the lower grades of private schools; and the governmen was given extraordinarily large powers to interfere with ecclesiastica affairs. Finally, in its provisions regulating the activity of foreign capitalists, the constitution was so stringent that loud protests were heard fron American capitalists interested in Mexican enterprises. The governmen had power to expel any foreigners whose presence might be deemed in convenient. All natural resources were declared to be national property and new safeguards were erected against the wholesale alienation of min and oil lands to foreign concessionaires. Moreover, the labor laws al ready enumerated were regarded by American capitalists as an intolerabl burden. The American and European owners of Mexican mines, ranches and oil-wells had already been antagonized, it may be added, not onl by the dislocation of industry during the civil wars, but also by Carranza' decree of August 17 providing that henceforth concession-seekers mus renounce their special privileges as foreign subjects and consent to enjo only the same rights as Mexicans; and by Carranza's threat to confiscat all mines which failed to resume activity within a certain time. In Jun complaints were raised because a tax of ten per cent *ad valorem* had bee imposed upon crude oil, at an exaggerated valuation.—Under the revise constitution, presidential and congressional elections were held on Marc 11. Although reports seemed to indicate that a certain amount of offici pressure was brought to bear at the polls, an unusually large number votes were cast. Venustiano Carranza was elected president and his su

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porters the Constitutionalist Liberals dominated the new congress, which assembled on April 15. It is interesting to note that for the first time a woman was among those elected to the House of Representatives. Carranza was formally inaugurated as president, May 1. With this event the Constitutionalist Revolution of 1913–1917 may fairly be said to have reached its successful conclusion.

THE CARIBBEAN AND CENTRAL AMERICAN STATES.—A bloodless *coup d'état* occurred in **Costa Rica** on January 27. With admirable dispatch and orderliness, a body of insurgent troops and civilians deposed President Gonzalez, who had forfeited his popularity by conspiring to secure the presidency for a second term, in violation of the constitution. The provisional government, with Señor Federico Tinoco (former minister of war) at its head, maintained law and order and immediately issued a call for a general congressional election; nevertheless, Señor Tinoco was denied recognition by the United States government on the ground that such revolutions ought to be discountenanced. A new constitution was drawn up and Señor Tinoco was elected president by the National Constituent Assembly, April 11.—The presidential elections in **Cuba**, November 1, were so closely, not to say bitterly, contested between the Conservative candidate for re-election, President Mario G. Menocal, and the Liberal candidate, Dr. Alfredo Zayas, that the result remained in doubt months afterward. When, after a judicial investigation of the poll in certain disputed districts, a second election was ordered in Santa Clara and Oriente provinces, the Liberals instigated an insurrection, in February, under the leadership of the former revolutionist ex-President José Miguel Gomez. The seat of the rebellion was in the eastern provinces, where the Negro element is strong; the cities of Santiago de Cuba and Manzanillo were soon in the grasp of the rebels; valuable sugar crops were burned in Oriente province. The Cuban congress hastily voted money and martial authority to the president, for the suppression of the revolt. The United States agreed to sell arms to President Menocal and impressively warned the rebels that no revolutionary government would be recognized. Early in March General Gomez was captured with some three hundred followers, and the insurgents were driven out of Santiago, which thereafter was occupied for a time by American marines. The insurrection quickly collapsed. The elections were held in Oriente on April 9; the elections in Santa Clara had been conducted in February, despite the rebellion; and as the result favored the Conservatives, President Menocal entered upon his second four-year term as president, in May. Cuba declared war against Germany in April.—A more stable régime in the **Dominican Republic** seemed to be promised by the peaceful election, August 15, of Señor Carvajal as president for five months, and by the formation of a coalition cabinet. Unfortunately, new trouble appeared when the American receiver-general of customs (Mr. C. H. Baxter) decided to withhold the salaries of Dominican officials until certain points in dispute with the United

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States should have been settled. Popular outbreaks ensued. The United States resorted to force of arms. In November the American naval commander openly assumed authority over the Dominican Republic and declared the country to be under his military government. Resistance was overpowered by American marines. In March the International Banking Corporation, controlled by the National City Bank of New York city, arranged to establish a branch in Santo Domingo.—The presidential elections in **Nicaragua**, October 1, were carried by General Emiliano Chamorro, Conservative. Dr. Julius Irias, the Liberal nominee, withdrew because of anticipated opposition from the United States government, since he disapproved of the Americo-Nicaraguan treaty (see last RECORD, p. 21). The appearance of American warships off the Nicaraguan coast about election time was regarded by partisans of Dr. Irias as an attempt to intimidate the opponents of Dr. Chamorro, but the American government disclaimed any such intention. President Chamorro was inaugurated on January 6.—Rancor arising from the **Panama** presidential elections of July 1916 was painfully apparent at the opening of congress in September. Two deputies were kidnapped by the opposition party, and disorder prevailed. Peace being restored, however, Señor Ramon Valdes was inaugurated as president on October 1. So alarming was the financial condition of the country that a comprehensive fiscal reform bill was passed by the National Assembly in February. The president and the members of the National Assembly who had voted for a law making civil marriage the only legal marriage were excommunicated by decree of the bishop of Panama. In May Panama solicited an advance of $10,000,000 from the United States for the construction of strategic railways and roads to defend the canal.—See also New Belligerents, *supra*, p. 13, and American Relations, *supra* p. 29.

SOUTH AMERICA.—Dr. Hipólito Irigoyen and Señor Pelagio Luna elected in June 1916 (see last RECORD, p. 40), were inaugurated on October 12 as president and vice-president, respectively, of the **Argentine Republic**, to serve for six years. The names of some of the ablest Radical leaders will be recognized in the cabinet, which President Irigoyen constituted as follows: interior, Ramón Gomez; foreign affairs, Carlos Becú; justice, José Salinas; finance, Domingo Salaberry; agriculture, Honorio Pueyrredón; war, Elpidio González; marine, Álvarez de Toledo; public works, Pablo Torello. Currency reform and budget estimates, particularly perplexing in consequence of the economic depression due to the war, absorbed attention during the winter. The returns of the census of 1914, first published in 1916, showed a total population of 7,885,237, an increase of 3,920,326 since 1895.—On May 6 Señor José Gutierrez Guerra, a banker and leader of the Liberal party, was elected president of **Bolivia**.—Although the government of **Brazil** was financially embarrassed on account of the war, President Braz steadfastly insisted that all obligations must be satisfied promptly and regularly; to this end it was necessary to increase

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the taxes, in spite of protests in the congress. A new civil code went into effect on January 1. The rupture of diplomatic relations with Germany failed to satisfy the strong war sentiment in Brazil, especially after the sinking of the Brazilian ships "Parana" and "Tijuca." The new foreign minister, Señor Nulo Pecanha, who succeeded Dr. Lauro Muller early in May, was strongly pro-Entente in sympathy. Amid great enthusiasm, he Chamber of Deputies on May 29 passed a bill authorizing the president o revoke Brazil's proclamation of neutrality whenever he should consider he moment opportune for a declaration of war. On June 28 the decree of ieutrality was formally revoked.—No less than three important cabinet rises occurred in **Chile**. One ministry was overthrown the third week in November by an adverse vote in the Senate; the succeeding ministry was romptly overturned by the radicals in the lower chamber; the cabinet ppointed on November 22, comprising Señores Zanartu, Huidobro, niguez, Prat, Nozua, and Luco, showed greater vitality, but at length ıccumbed; in July President Sanfuentes appointed Señores Tocornal, esa, Quezada, Guarello, Montengro, and Errazuriz to constitute a new ıbinet, the third within a year. A workmen's compensation law was assed.—**Peru** was again perturbed by political disorders in March, when ots were reported in several provinces and three deputies were assassin-ed. About the same time, the ministers of war and the interior resigned, more probably were dismissed from the cabinet. The government of resident Pardo, however, survived the crisis. A new cabinet, with Dr. rancisco Tudela as premier, was formed on July 27.—Reported electoral ctories of the Opposition constrained the ministry of **Uruguay** to resign August. A coalition government was formed the first week in Septem-r, but four of its members resigned in October and yet another cabinet organization occurred late in November. In January, the *Colorado* or overnment party claimed to have obtained sixty-two seats in the new ssembly, as against the Opposition's fifty-nine.—See also American Rela-ns, *supra*, p. 29; New Belligerents, *supra*, p. 13.

V. THE BRITISH EMPIRE.

THE UNITED KINGDOM.—Standing as if bewildered in the midst of e problems, the fears, the passions of the war, Mr. Herbert Asquith as ad of the coalition ministry continued to compromise and temporize, til at last he was jostled out of the way by more self-confident leaders. e coalition patched together in May 1915 had never been strong; as was served in the last RECORD (p. 42), it "lacked the unity of purpose and or of action requisite to command the complete confidence of the nation." had dillydallied with conscription; it had muddled the Dardanelles mpaign, as an official investigation now indubitably demonstrated; it l endeavored to solve the Irish question by refusing to think about it, il there broke out the Dublin Insurrection of April 1916, and even then ministry had not the courage to administer a reasonable remedy. Each

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month the Asquith Government indicted itself on a new charge. A char-acteristic maneuver occurred in August. In the face of a lively popula agitation for franchise reform with woman suffrage, the Government brough in a Special Register Bill, to revise the register of voters without reforming the franchise, and a Parliament and Local Elections Bill to prolong the lif of the existing House of Commons by another eight months (i. e. to Ma 31). Confessing that the woman suffragists had presented a "reasonable" case, Mr. Asquith nevertheless informed the Commons that the problem o franchise reform was so complicated that the only solution was procrastina tion. The result was most damaging to the ministry. The ill-fated Specia Register Bill was dropped after second reading. As for the other bill, Mr Asquith, ever willing to haggle, consented to reduce the term of prolonga tion by one month and accepted an irrelevant amendment; thus amended the law was placed on the statute book, August 23.—In September th **high cost of living** was uppermost in the public mind. Food prices ha increased 65 per cent during the war. Wheat production, instead of in creasing, was on the decline. The general cost of living for the laborin classes had increased 45 per cent since 1914, while wages had failed t keep pace. The Trades Union Congress at Birmingham, September 5 voiced the economic discontent of two million unionists, and demande radical reforms such as the minimum wage and the nationalization of agr culture, shipping, railways and mines. The government issued an interes ing report on the food shortage (Cd. 8358) and announced that the questio of the minimum wage was being considered, but little was actually dor beyond the declaration of government control over the Welsh coal mine —When Parliament reassembled on October 10 for the winter sessio criticism of the Government broke out with new acerbity. Sir Edwa Carson, Col. Winston Churchill, and a handful of politicians, common known as the "**ginger group**" because they were incessantly declaring th a little more "ginger" was needed in the ministry's actions, now becan more vociferous than ever in their demands for a strong cabinet, for a fo dictator, for effective arming of merchantmen against submarine attac for a less philosophical head of the admiralty than Mr. Balfour, for a firm policy in the Balkans (the Teutonic conquest of Rumania was then und way), and for adequate defense of England against air raids. Behind t "ginger group" stood the most powerful newspaper man in Great Britai Lord Northcliffe, whose newspapers (*Times*, *Daily News*, and othe continually censured the premier and demanded greater authority for W Minister David Lloyd George. It was with the support of the Northcli press that Mr. Lloyd George asked the prime minister to create a smal war council, with dictatorial power; it was said that Mr. Lloyd Geor proposed to exclude Premier Asquith from this inner council.—When M Asquith refused to create the war council, Mr. Lloyd George precipitate crisis by handing in his own resignation as minister of war. The Unic ists, too, threatened to secede from the coalition government, whereup

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Mr. Asquith acknowledged defeat and resigned the premiership, December 5. For form's sake, King George requested the Unionist leader, Mr. Andrew Bonar Law, to form a cabinet, but Mr. Bonar Law declined the ask, and on December 7 it was announced that Mr. David Lloyd George vould become premier, with the support of Mr. Bonar Law. The old-ashioned Liberals were somewhat disgruntled, but the Liberal party as a vhole agreed not to oppose the new premier. He won the Laborites over ›y promising them a place in the war council and two seats in the cabinet, nd by pledging himself to establish state control over mines, shipping, ood, and railways. The Irish Nationalists, it seemed, were left out of the ›argain. The "ginger group" was to be recognized by the appointment f Sir Edward Carson to the admiralty. As finally constituted, December o, the **new ministry** comprised fifteen Unionists, twelve Liberals, three aborites, and three non-partisan experts, whereas the old cabinet, at the me of its collapse, had included twelve Liberals, only ten Unionists, and ne Laborite. (For the purpose of reference it should be noted that since ugust 1 Mr. Augustine Birrell had been succeeded by a Unionist, Mr. lenry E. Duke, as secretary for Ireland, and that Mr. Arthur Henderson, ıe Laborite minister, after resigning the presidency of the board of educa-on in August, had returned to the cabinet in November as minister of ensions). In the new cabinet Mr. Lloyd George entrusted to Unionists ıe leadership of the Commons and of the Lords, the control of Ireland, ıdia and the colonies, as well as the vital portfolios of war, foreign affairs, ›me affairs, blockade, the navy, agriculture and finance. In the all-power-l inner circle or "War Cabinet" of five members, were three Unionists, ord Curzon, Lord Milner, and Mr. Bonar Law), one Laborite (Mr. Hen-erson), and the premier. By an ironical turn of fate, Mr. Lloyd George's osest associates in the war cabinet, namely Lords Curzon and Milner, ere Unionists whom he had most bitterly assailed a few years before the ır, and whom he had characterized as gravely deficient in "common nse." The complete roster of ministers follows: prime minister and st lord of the treasury, David Lloyd George (Liberal); lord president of e council and government leader in the House of Lords, Earl Curzon nionist, former viceroy of India); chancellor of the exchequer and gov-ıment leader in the Commons, Andrew Bonar Law (Unionist leader); thout portfolio, Viscount Milner (Unionist, of South African fame); with-t portfolio, Arthur Henderson (Labor, former mechanic and trade ionist; in May Mr. Henderson, while on a mission to Russia, was re-ced by Mr. Barnes); lord high chancellor, Sir Robert Finlay (Unionist); me secretary, Sir George Cave (Un.); colonial secretary, Walter Hume ng (Un.); foreign affairs, Arthur J. Balfour (Un.); war, Earl of Derby n.); secretary of state for India, Austen Chamberlain (Un.); president the local government board, Baron Rhondda (Lib., "captain of in-stry," business head of the largest coal syndicate in the country); presi-ıt of the board of trade, Sir Albert Stanley (manager of London electric

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railways); minister of labor, John Hodge (Labor); first lord of the admiralty Sir Edward Carson (Un.); minister of munitions, Dr. Christopher Addison (Lib.); minister of blockade, Lord Robert Cecil (Un.); food controller Baron Devonport (Lib., manager of the Port of London); shipping controller, Sir Joseph Paton Maclay (wealthy Scottish shipowner); minister of pensions, George N. Barnes (Labor); president of the board of agriculture Rowland E. Prothero (Un., historian, manager of the duke of Bradford's vast estate); president of the board of education, Herbert A. L. Fisher (historian and educator, vice-chancellor of Sheffield University); first commissioner of works, Sir Alfred Mond (Lib., business magnate); chancellor of the duchy of Lancaster, Sir Frederick Cawley (Lib.); postmaster-general Albert Illingworth (Lib.); attorney-general, Sir F. E. Smith (Un.); solicitor-general, Gordon Hewart (Lib.); secretary for Scotland, Robert Munro (Lib.); lord advocate, James A. Clyde (Lib.); solicitor-general for Scotland, Thomas B. Morison (Lib.); lord lieutenant of Ireland, Baron Wimborne (Un.); chief secretary for Ireland, Henry E. Duke (Un.); lord chancellor for Ireland, Sir Ignatius O'Brien (Lib.). Not the least interesting aspect of the new ministry was the inclusion of experts like Mr. Fisher and Mr. Prothero and of business potentates like Baron Devonport, Baron Rhondda, Sir Joseph Maclay and Sir Alfred Mond.—The premier's program speech in the Commons, December 19, outlined an ambitious policy; a *levée en masse* of the entire population was to be effected, to utilize every ounce of the nation's energy on farm, in factory, or in the army; an imperial conference was to be summoned; nor was the Irish question to be ignored.—In January, attention was focused on the flotation of the **third war loan.** The loan was issued in thirty-year bonds, selling at 95, and bearing interest (subject to income tax) at five per cent; part of the loan was in twenty-five-year bonds issued at par and bearing non-taxable interest at four per cent. The loan succeeded beyond expectation, bringing in, before February 16, a billion pounds sterling of new money from more than eight million subscribers. It should be noted that the total war expenditure of some £4,200,000,000, to February, was not entirely defrayed by the flotation of long-term loans, but that a share was born by increased taxation as well as by short-term obligations.—When Parliament met in February it considered two questions of transcendent importance. First, a comprehensive scheme of national service (industrial) was launched on February 6, and Parliament was asked to pass a **National Service Bill** to give the scheme legal status, and the director, Mr. Neville Chamberlain, a position in the ministry. All men between the ages of eighteen and sixty-one were to be enrolled, and volunteers were to be solicited for employment in whatever trade they might be assigned to, at a minimum wage of 25s a week. The National Service Bill was passed in March. Labor accepted the law with a wry face, fearing industrial conscription, and the consequent annihilation of trade unionism.—The other important matter to come before Parliament in February was the premier's plan for overcoming the

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food shortage. The food problem was really the shipping problem under another aspect, since Great Britain had to import from overseas between 70 and 80 per cent of her staple cereal supply. Because of the allocation of British merchant ships to her allies (a million tons to France alone), and because of the large demand for army transports, Great Britain had only half her normal tonnage available for ordinary needs; hence the difficulty of importing food. On February 23 Mr. Lloyd George announced his plans. In the first place, unnecessary and bulky imports would so far as possible be prohibited or reduced; second, 600,000 tons of food material would be saved by a reduction of the beer output from 18 million barrels to 10 million a year; third, home production would be stimulated (a) by guaranteeing minimum prices to the farmer for wheat, oats and potatoes, the guarantee for wheat and oats being of five years' duration, (b) by ensuring a minimum wage of 25s. a week to farm laborers and (c) by protecting farmers against arbitrary increases of rent. These proposals were subsequently incorporated in a bill, which came up for consideration in July. In addition, the Board of Agriculture had already appointed Sir Arthur Lee as director-general of food production; it had authorized local authorities to take idle land; and it had arranged to use a large number of soldiers on the farms in the spring. Ex-soldiers, also, were settled in agricultural colonies. The food controller (Baron Devonport, superseded in June by Baron Rhondda) took steps to curb consumption of food, to prevent profiteering, and to control prices.—In order to secure an adequate supply of coal, the Board of Trade on February 14 announced that it would take possession of the coal mines during the war.—The thorny questions of **franchise reform** and woman suffrage, which Mr. Asquith had despaired of settling, were boldly attacked by the Lloyd George Government in the spring. A preliminary agreement having been reached in a "Speaker's Conference" of all parties, Mr. Walter Long in the name of the Government brought in a Representation of the People Bill, providing for: (a) abolition of all existing franchises except the university franchise, which was to be extended to younger universities; (b) enfranchisement of all men over 21 with six-months residence qualification (the number of male voters would thus be increased to 10,350,000); (c) enfranchisement of all soldiers and sailors of mature age; (d) enfranchisement of about six million women over thirty years of age as "occupiers" or as wives of "occupiers" of land or premises; (e) half-yearly revision of the register of voters; (f) redistribution of seats in Great Britain, (g) proportional representation in large cities (struck out in committee stage, July 4); (h) no electors to have more than two votes; (i) limitation of polling to a single day; (j) payment of returning officers by the state. This bill, which deserves to rank with the great Reform Acts of 1832, 1867, and 1884, passed second reading, May 23, with only 42 Unionists dissenting; the much-debated principle of woman suffrage was approved in the committee stage, June 19, by 330 votes to 55.—More difficult was the **Irish question**. The Dublin Insurrec-

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tion and the failure of Lloyd George's compromise (see last RECORD, pp. 39–40) had left a legacy of bitter discontent. With a Unionist chief secretary (Henry E. Duke, appointed July 31, 1916), a Unionist lord lieutenant (Baron Wimborne, reappointed August 6), and an unpopular military authority (Major-General Sir John Maxwell) in control of Ireland, it required 40,000 troops to keep order. The hanging of Sir Roger Casement, August 2, did not increase good will. The continued imprisonment of hundreds of Irish suspects, without trial, was a standing grievance. The Irish Nationalists declared in October that British treatment of Ireland belied the principles of the Allies. Again on March 7 the Irish Nationalists, this time formally, in the House of Commons, demanded immediate application of the Home Rule Act of 1914 as proof of Britain's sincerity in her championship of small nations and democracy. This being refused, the Nationalist Party appealed to the Dominions and to the United States and resolved to "oppose the government by every means" in their power. Meanwhile the radical republican or Sinn Fein movement in Ireland gave alarming evidence of its growth; two by-elections to the House of Commons were won by Sinn Fein candidates, Count Plunkett and Mr. Joseph McGuinness. At length, on May 16, Mr. Lloyd George came forward with a tentative solution. He offered to apply the Home Rule Act immediately, but with six counties of Ulster provisionally excluded for five years, or until an agreement could be reached; and with provision for a conciliatory Council of Ireland, consisting of equal delegations from excluded and home-rule Ireland. If this compromise should be found unacceptable, he would propose the convocation of a **convention of Irishmen** to prepare some less objectionable scheme of self-government. Promptly the Nationalists rejected the proposal to bestow home rule on part of Ireland. Premier Lloyd George therefore resorted to the alternative, the convention plan. The convention, he announced, would be composed of five Nationalist members nominated by Mr. Redmond, five members nominated by Sir John Lonsdale, two by Mr. William O'Brien, five Sinn Feiners, five members of the Irish Unionist Alliances, ten Irish representative peers, four Catholic bishops, the primate and archbishop of Dublin, the moderator of the Presbyterian Assembly, and fifteen members nominated by the Government. Regardless of criticism, this plan was carried through and the convention assembled on July 25 in Regent House of Trinity College, Dublin, with 92 members present. Sir Horace Plunkett was elected chairman. But louder than the voice of the convention's debates were the ominous rumblings of popular discontent. The Sinn Feiners, who refused to take any part in the "English" convention, seemed to be winning the masses to their revolutionary vision of an Irish republic. In vain the British government sought to mollify Irish sentiment by releasing some of the Irish "suspects" who had been incarcerated in England a year before. Mildness failing, stern repression became once more

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he order of the day. Twenty-one Sinn Feiners were shot down by the olice in a riot at Cork, June 24; Sinn Fein newspapers were suppressed; nd Irishmen were forbidden to carry weapons. Nevertheless, the over-'helming victory of a Sinn Fein candidate in the supposedly "safe" Iationalist constituency of East Clare, in a by-election, the conversion of Ir. Laurence Ginnell, a Nationalist M. P., to the Sinn Fein, and the news-aper report that in case of a general election probably half of the Nation-list seats would be lost to the Sinn Fein, gave sign that the revolutionary de was still rising.—An investigation into the conduct of the **Mesopotamia ampaign** revealed such tragical blunders on the part of the authorities in ıdia that on July 12 Mr. J. Austen Chamberlain (secretary of state for ıdia) and Lord Hardinge (former viceroy of India, under-secretary for ıreign affairs) tendered their resignations. The premier seized the oppor-ınity for an important **cabinet reorganization**, July 17. Mr. Montagu ecame secretary of state for India; Mr. Andrew Bonar Law, in order to evote himself more fully to the duties of the chancellor of the exchequer, signed his place in the War Cabinet to Sir Edward Carson; the latter was ıcceeded by Sir Eric Geddes as first lord of the admiralty; Dr. Christopher ddison, formerly minister of munitions, became minister without portfolio charge of "reconstruction" plans; and the portfolio of munitions was stowed upon one of the most brilliantly capable, though impetuous, atesmen in England, Mr. Winston Spencer Churchill.—The **budget**, as esented on May 2, provided for a revenue of £638,600,000 and an ex-nditure of £2,290,381,000, the deficit to be covered by loans.—A small it active minority of intellectual radicals and socialists (mostly of the I. P.), persistent in **pacifist agitation**, organized a "Workers' and Sold-rs' Council" on the Russian model; but their meetings were mobbed by -soldiers and patriotic civilians, and their peace resolution in the House Commons, demanding a revision of the Allies' terms and the inclusion representatives of the people in the forthcoming Allied conference on ır aims, was contemptuously rejected by 148 votes to 19.—A bill was ssed to abolish **grand juries** until the end of the calendar year following e conclusion of the war.—Responsive to the anti-Germanic sentiment of s people, King George on July 17, in the presence of his Privy Council, lemnly cast off his princely **German titles** of the house of Saxe-Coburg d Gotha, and invested his dynasty with the unmistakably English name the "House of Windsor."—Late in June a committee on after-the-war oblems issued a report recommending the immediate establishment, in ch well-organized trade, of an **industrial council** or joint standing com-ttee with equal representation for labor and capital, to regulate questions wages, hours, methods, and conditions of labor.—A **plot** to assassinate . Lloyd George was detected and frustrated.

IMPERIAL SOLIDARITY.—An epoch-marking event in the history of relations between Great Britain and her self-governing Dominions was creation of an imperial war cabinet in 1917. Responding to an invita-

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tion sent out at Christmastide by the Lloyd George Government, the repre sentatives of India, of the Dominions (excepting Australia), and of th other colonies assembled in London for an **Imperial Conference.** Befor concluding its deliberations (early in May), the Imperial Conference adopte a comprehensive set of resolutions (Cd. 8566), touching the status of India imperial preference, and other vital matters. More important even tha the meeting of the Imperial Conference, however, was the announcemer by Mr. Lloyd George on May 17 that henceforth there would be an **Im perial Cabinet,** meeting annually or oftener, and consisting of the premie or special representatives of the Dominions, a representative appointed b the government of India, the British premier, and such of the British mi isters as dealt especially with imperial affairs.—The principle of **imperi preference** was endorsed, but not in very definite terms, by a committee o commercial and industrial policy. Further, on April 27 Mr. Bonar La announced that the war cabinet had accepted the principle of imperi preference, but that no change would be made during the war and no tax would be laid on food.

CANADA.—After five years of service, the Duke of Connaught i October laid down the office of governor-general and commander-in-chie his successor, the Duke of Devonshire, arrived at Halifax on November 1 and was immediately installed.—The Dominion minister of militia and d fense, General Sir Sam Hughes, against whom accusations of corruptio had been leveled earlier in the year, resigned on November 11. Mr. A E. Kemp was nominated to succeed General Hughes, November 23.— National Service Board was created in October, to secure fullest and mo economical use of the Dominion's man-power. As the first step, th board made a survey or special census of the labor supply and the me employed in various trades. Then Premier Borden formally gave notic in May, that he was resolved to introduce **compulsory military servic** At that time Canada was maintaining 136,400 men in France and 180,0 in England, according to an official statement; and had already sustain a loss of 100,000 men. Wishing to obtain the strongest possible backi for conscription, Sir Robert Borden invited Sir Wilfrid Laurier, the lead of the Opposition, to join with him in forming a coalition cabinet. S Wilfrid, however, refused to accept the premier's terms and continued oppose conscription. The Liberal leader's determined stand was enthu astically supported by a large element of the French-Canadian populati in Quebec, where there were several disturbances. Nevertheless the Co pulsory Military Service Bill was duly introduced in the Dominion parli ment. One of the reasons for the unwillingness of the French-speaki population to submit to compulsory service was that a bitter controver had arisen over the use of the **French language** in the schools. T notorious "circular of instructions, No. 17," issued by the Ontario depa ment of education in 1913, was most bitterly assailed because it prohibit the use of French as the language of instruction for all except the ve

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owest grades of elementary schools. The French Canadians denounced he regulation as unconstitutional and even carried the case to the supreme court of appeal, the Judicial Committee of the Privy Council in England, but to no avail, since the regulation was upheld by that court, November 2, 1916.—In a speech on the budget, February 1, Premier Borden asserted hat the **cost of the war** had proved much greater than had been anticipated at the outset. The military and naval expenditures for the year 1917–1918 were estimated at $433,000,000 as compared with total war expenditures of $61,000,000 for 1914–1915; $166,000,000 for 1915–1916; and $217,000,000 for 1916–1917. Following upon two previous loans of $100,000,000 each, a third war loan of $150,000,000 in five-per-cent bonds at 96 was issued on March 12. A four-per-cent income tax, with a graduated super-tax ranging from 2 to 25 per cent, was voted by the Dominion House of Commons on July 25.—A **woman suffrage** bill was passed in Ontario; Manitoba, Saskatchewan, Alberta, and British Columbia were already in enjoyment of equal suffrage.

INDIA.—Conspirators in the Philippine Islands and in the United States were still plotting the overthrow of British rule in India, declared the judge who in January 1917 sentenced six men to death, one to deportation and ten to imprisonment for complicity in an outbreak at Lahore, India.—A very important measure, in view of past controversies, was the prohibition (March) of all labor emigration from India, except to Ceylon and Malay States. As proof of India's **assistance to Great Britain** in the war, may be cited the gift of £100,000 from the nizam of Hyderabad for submarine chasers, the introduction of compulsory military training for all Europeans in India, the establishment of a munitions department, and the flotation of a £100,000,000 war loan. In accepting the £100,000,000 war contribution, the British Parliament in March passed a resolution permitting India to raise the **import duty on cotton goods** from 3½ to 7½ per cent; the importation of Lancashire cotton manufactures, it will be recalled, was resented in India as being ruinous to the native industry. **Frontier conditions** were less tranquil than normally. On the border between India and Afghanistan a British force, using aeroplanes for the first time in Indian military annals, encountered and defeated a force of 6000 tribesmen, according to an official bulletin of November 18.

OTHER BRITISH POSSESSIONS.—The question of compulsory military service was violently agitated in **Australia**. Australia had already furnished more than three hundred thousand volunteers for the hardest kind of fighting, but a hundred thousand more were needed for reinforcements, and it was computed that there were 125,000 single men, able-bodied and without dependent relatives, who had not offered themselves. A bill calling for a popular referendum on conscription was passed by the federal House of Representatives on September 21, by 47 to 11 votes, and agreed to by the Senate. Opposed to conscription were many powerful trade unions, the Labor parties in the state governments, and an influen-

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tial fraction of the federal Labor party. Premier Hughes, on the other hand, himself a Laborite, was strongly in favor of the measure, although it split his party and his cabinet. He did not have the country with him as it proved, for in the referendum a majority of votes was cast against compulsory military service. After the defeat, Premier Hughes continued to hold office but in February he took Mr. Joseph Cook, leader of the Liberal Opposition, into the cabinet, thus bringing about a Liberal-Labor coalition.—In **South Africa** the irreconcilable Nationalists, chiefly Boer farmers, gave their support to a republican agitation. Their propaganda was condemned and rebuked by a resolution of the Union House of Assembly, June 20; but it is significant that 31 votes were cast against the resolution, as compared with 72 for it. Commenting on the situation, the Nationalist leader, General Hertzog, asserted that for the present a republic was out of the question, until a virtually unanimous sentiment could be developed in favor of independence and republicanism.—An army from **Egypt** succeeded in utterly defeating Ali Dinar, the rebel sultan of Darfur (a state in the Anglo-Egyptian Sudan), in the autumn of 1916.

V. CONTINENTAL EUROPE

FRANCE.—Against the unremitting fire of criticism to which he was subjected in the Chamber of Deputies, even so skilful a parliamentary strategist as M. Aristide Briand could not long stand. His great "cabinet of all the talents," formed on October 30, 1915, had survived many attacks, but it showed signs of weakening in November and December 1916 when the Chamber went into secret session to discuss the conduct of the war. Complaint was raised that France was bearing more than her just share of the war, since she had put one in six of her population into the trenches, whereas England had given only one in ten; Italy one in eleven; Russia one in twenty. Reorganization of the high command was demanded. The result of the December debates was a radical reorganization of both the high command and the cabinet. General Joffre, whose methodical caution contrasted unfavorably with the brilliant exploits of a Nivelle or a Pétain, was relieved of the active command and temporarily appointed "technical adviser to the government," December 13; a fortnight later he was retired with the distinguished honorary rank of marshal of France. General Nivelle, defender of Verdun, became supreme commander of the armies in France, December 19. He and General Sarrail (at Saloniki) were henceforth to be responsible directly to the war minister, the office of commander-in-chief being abolished. As for the ministry, M. Briand ventured to make bold innovations. On December 12 he reduced the membership of the cabinet from 22 to 10 by abolishing certain portfolios and combining others. Technical experts and business men were given positions of authority as under-secretaries; for example, M. Loucheur, the new under-secretary for munitions, was a well-known manufacturer. Most striking of all was the experiment of entrusting supreme responsibility to a

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ubdivision of the cabinet, a "war council." The war council included he premier, who was also minister of foreign affairs, Alexandre Ribot finance), Gen. Hubert Lyautey (war), Admiral Lacaze (marine), and Albert Thomas (armament and war industries). Ministers outside the war council vere Louis T. Malvy (interior), Étienne Clémentel (national economy), M. Herriot (transportation, food), Gaston Doumergue (colonies), and René Viviani (justice and public instruction, labor). Seven of the ten ministers iad been members of the old cabinet, the only novices being Gen. Lyautey former governor-general of Morocco), Senator Herriot (Mayor of Lyons), nd M. Thomas (former under-secretary for munitions).—M. Briand's upreme effort to gain the confidence of the Chamber was doomed to dis-ppointment. On the very first vote of confidence, 165 deputies cast their allots against him and 43 abstained from voting. To be sure, the new abinet gave auspicious evidences of its energy. It repudiated the German eace offer; it announced that bread cards would be issued; it fixed maxi-num prices for milk, butter, and cheese; it asked authority to call up the 918 class; and it introduced a bill for the voluntary enrolment of the civil opulation as a measure of industrial mobilization. But the new war min-ster, General Lyautey, excellent as may have been his record in Morocco, as fatally maladroit in dealing with the French parliament. His bill alling for a re-examination of men hitherto exempted from conscription nd providing for the incorporation of priests into the fighting units pro-oked opposition in the Chamber. On March 14, replying to an interpel-ation on the air service, he bluntly remarked that to divulge army secrets ven in a secret session of the Chamber would "expose the national de-ense to risks." The Chamber burst into pandemonium. General Lyautey nstantly resigned. Discouraged and unable to replace General Lyautey, I. Briand on March 17 tendered his resignation as *président du conseil*; e had presided over the government of France almost seventeen months. -With **Briand's downfall**, the leadership gravitated toward the Right enter of the Chamber and a representative of the conservative Republican roup (the "Republican Union") came forward as the man of the hour. I. Alexandre Ribot, a veteran cabinet officer, had been president of the ouncil in 1892–1893, 1895, and 1914; since October 30, 1915, he had erved as finance minister, floating the second war loan (11,360,000,000 ancs in five-per-cent bonds issued at 87¼) and raising enormous sums rough increased taxation on incomes (ten per cent on incomes of over 50,000 francs), on war profits, on alcohol, on moving pictures and thea-rs, on sugar and on tobacco.—Now, on March 19, M. Ribot became esident of the council for the fifth time. In selecting his cabinet, M. Ribot as unable to persuade M. Briand to accept the portfolio of foreign affairs, it six other members of the former Briand cabinet consented to serve in e **new ministry**, which was constituted as follows: premier and foreign inister, Alexandre Ribot; war, Paul Painlevé; marine, Admiral Lacaze; unitions, Albert Thomas; finance, Joseph Thierry; justice, René Viviani;

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interior, Louis J. Malvy; public instruction, Jules Steeg; public works Georges Desplas; commerce, Étienne Clémentel; agriculture, Fernanc David; food, Maurice Viollette; labor, Léon Bourgeois; colonies, Andr Maginot. The cabinet comprised three Moderate Republicans, thre Radicals, one Socialistic Radical, three Independent or Republican Social ists, one Unified Socialist; only the liberal and reactionary parties of th Right were unrepresented. M. Ribot's declaration of policy, March 21 pledging his government to fight unflinchingly for the reconquest of Alsace Lorraine, was approved by 440 members of the Chamber, with only 5 abstentions and no negatives. The general budget as introduced in Ma balanced at 9,843,000,000 francs, not including the supplementary esti mates of 1,032,000,000 francs. Including the third quarter of 1917, th total war credits for 38 months amounted to almost 99 billion francs, o which 6 billion had been loaned to allied Powers.—Blame for mistake committed in the spring offensive of 1917 (see Western Front, *supra*, p. 3 was shifted by the politic war minister, M. Painlevé, to the commander-i chief, Gen. Nivelle, who was replaced on May 15 by General Pétain o Verdun fame; at the same time General Foch, whose brilliant tactics ha been a decisive factor in the battle of the Marne, became chief of staff.—A Socialist proposal to revise the constitution so that both Chambers migh regularly deliberate together on war problems was defeated by 330 votes t 191 in the Chamber of Deputies, July 27.—A new political group, th *groupe de l'Action Nationale*, was formed by 55 senators in December.

RUSSIA. — A revolution comparable only to the great Frenc Revolution in political significance, and far surpassing the Frenc Revolution in swiftness, scope and magnitude, eventuated in Russia i the third year of the war, when the tremendous forces of political an social discontent, long suppressed, were at last unfettered. The revo lution was foreshadowed by recurrent **cabinet crises.** Count Bori Stürmer, Russia's second premier since 1914, was furiously assailed b the *bloc* of liberal parties in the Duma when that body met in Novem ber. M. Milyukov, leader of the Constitutional Democrats in th Duma, scathingly exposed the ministry's failures, its conservatism, it secret desire for an ignominious separate peace with the enemy. Th Duma's attacks were effective. On November 24 Count Stürmer wa dismissed and in his stead M. Alexander Trepov, erstwhile ministe of railways, was promoted to the presidency of the ministerial council M. Neratov provisionally assumed the portfolio of foreign minister but was soon replaced by Controller Pokrovsky. Still deeply dis trustful of the Government, and of the powers behind the Govern ment, the Duma late in December passed a sensational resolutio declaring that "**dark forces**" and secret intrigues in high places wer paralyzing the administration and betraying the nation. The Counci of Empire and even the Congress of Nobles re-echoed the Duma' formula, denouncing the "dark forces." The term "dark forces

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was sufficiently descriptive. For the court of Nicholas II, like that of is unhappy prototype Louis XVI, was notoriously honeycombed with reactionary and even traitorous plotters. The Tsarina Alexndra, a German princess, was under suspicion of betraying Russia ist as Marie Antoinette had conspired with the enemies of France. he tsarina and, to a lesser extent, the tsar were said to be under the aneful spell of a mystic, a boorish "monk" of marvelously magnetic ersonality, Gregory Rasputin, thoroughly antagonistic to liberalism. gainst Rasputin the liberals employed their only available weapon, ssassination; the deed was attributed to Grand Duke Dmitri and rince Youssoupov. Nicholas might well have been warned by Rastin's fate; instead he was angered. He sought a firmer hand than repov's to rule the cabinet; Prince Nikolai Golitzine, a bureaucrat sternest fiber, took Trepov's place as premier, January 9. A few ays later (on New Year's Day, old style), the tsar issued a ukase hich was tantamount to a declaration of war against constitutional overnment. Enough liberal members of the Council of the Empire ere replaced by reactionaries to destroy the progressive majority in at body. Without waiting for indignation to cool, the tsar, or the emier, proceeded on January 18 to dismiss War Minister General uvayev, who was esteemed by the Duma for his patriotic energy id his loyalty to the Allies; the new minister of war, Gen. M. A. eliaev, was a veteran of the Russo-Japanese War and a member of e military clique which had so disastrously mismanaged Russia's ilitary preparations for the present war. The tsar seemed to have rown the whole weight of his authority on the side of the "dark rces." Most sinister of all was the figure of M. Protopopov, now id in the gendarme's uniform which no minister of the interior since n Plehve had dared to wear. Protopopov, it was alleged, began in nuary to make preparations for an autocratic *coup d'état;* he deerately created a shortage of food in Petrograd, in order to starve e people into a desire for immediate peace; if bread riots occurred, ey would serve as pretexts to justify the dissolution of the Duma, e restoration of reactionary autocracy, and the negotiation of a parate peace. If such was his plan, the minister misjudged his ength. The bread riots that broke out in Petrograd served, to be e, as a pretext for the peremptory prorogation of the Duma, arch 11. But when the troops were ordered to fire on the mob, regint after regiment went over to the people's cause, for the troops re imperfectly disciplined. Swiftly the **revolution** was consumted, while mutinous soldiers swept the loyal police from the streets d took captive the dismayed cabinet. All parties of the Duma exot the Extreme Right assembled to defy the decree of adjournment d voted a revolutionary resolution, now historic, authorizing the ecutive council of the Duma to set up a provisional government.

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The tsar, then on a visit to the front, received telegraphic news
these events and hastened back to the capital, but he was halted
Pskov by delegates of the provisional government, who induced hi
to sign a manifesto announcing the abdication of himself and his so
Alexis, March 15, in favor of his brother Michael. Grand Duk
Michael, however, on March 16 declined to accept "supreme power
unless so authorized by a constituent assembly and plebiscite. Th
declaration, virtually an abdication on the part of Michael, marke
the end of the dynasty which had been established by anoth
Michael, the first of the Romanov tsars, more than three centuri
ago. Grand Duke Nicholas Nicholaievitch, together with other grar
dukes and royal princes, renounced their hereditary rights on Marc
27. The imperial family was placed under custody in the Tsarko
Selo palace and the former cabinet officers Protopopov, Golitzin
Goremykine, Soukhomlinov, Beliaev and Makarov were imprisoned
the fortress of Saints Peter and Paul. Meanwhile the revolutiona
committee under the chairmanship of M. Michael Rodzianko (
Octobrist, president of the Duma) had given place to a revolutiona
coalition cabinet, chosen conjointly by Duma and labor leade
March 15. The cabinet was constituted as follows: premier and mi
ister of the interior, Prince George Lvov; foreign affairs, M. Pa
Milyukov; public instruction, M. Manuilov (professor at Mosco
University); war and navy, A. J. Gutchkov; agriculture, M. Shinga
yev; finance, M. Tereschtenko; justice, A. Kerensky; communicatior
N. V. Nekrasov; controller of state, M. Godnev; commerce, A.
Konovalov; procurator-general of the holy synod, V. N. Lvov. In t
new cabinet were clearly represented the three great forces whi
had brought about the Revolution. First, and least important, thou
most conspicuous, was the group of Duma liberal leaders includi
the Octobrists Gutchkov and Godnev and the Constitutional Dem
crats or "Cadets" Nekrasov, Shingaryev, and Milyukov. The la
named, a professor of history who after suffering exile for his pol
ical views had become the leader of the Cadets, was their chief; th
were essentially middle-class believers in constitutional governme
and abhorrers of social revolution. Second, and closely affiliated wi
the Duma liberals, was the group of zemstvo patriots, business m
and landowners who had been prominent in utilizing the zemstvos
county councils for efficient auxiliary service in prosecuting the wa
for example, the association of zemstvos had mobilized half a milli
peasants to dig trenches behind Brusilov's armies in 1916; Prin
Lvov, president of the association of zemstvos, stepped naturally in
the office of premier, just as M. Gutchkov, president of the War I
dustries Mobilization Committee, stepped into the office of war mi
ister; both men were very moderate in their liberalism. The thi
element was subordinate to the other two, as yet, but potentially mu

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more important. M. Alexander Kerensky, minister of justice, represented the executive committee of the Workingmen's and Soldiers' Council. In other words, he stood for the masses, the peasants, workingmen and soldiers who had contributed the physical force to accomplish the Revolution. M. Kerensky was a young barrister and member of the Duma, an eloquent orator and an able organizer; as a Revolutionary Socialist he voiced the aspirations of millions of peasants for a more equitable division of the soil, for agrarian democracy. The industrial proletarians in the cities were more inclined to follow the leadership of the Marxian Socialist Tcheidze, but for the time being their influence was merged with that of M. Kerensky.—The provisional government in a manifesto of March 16 declared itself in favor of immediate **reforms**, including a general amnesty; liberty of speech, of press and of strike; abolition of all social, religious, and national restrictions; substitution of a democratic militia for the police; universal suffrage for communal elections and a constituent assembly based on universal suffrage. True to its pledge, the government very soon granted amnesty for political offenders, March 22; restored the constitution of Finland, March 21; promised Poland self-government and unity; conferred equal political, economic, educational, and military rights upon the Jews, March 26; abolished the death penalty, March 31; substituted the elected heads of the provincial zemstvos in place of the former appointed provincial governors; and fixed food prices at rates twenty to fifty per cent lower than those current. Subsequently, as the Socialists became more influential in the cabinet, more radical reforms were promulgated. On June 9 elections for municipal and district councils were held, with universal suffrage for the first time in Russian history, and on June 30 universal (male and female) suffrage was extended to the zemstvo elections. Confiscatory taxes were laid on excessive war profits, and heavy burdens (sixty per cent) imposed on large incomes. The government embarked upon socialistic enterprises, such as the establishment of a state coal monopoly in the Donetz valley, with $20,000,000 capital; indeed, the Socialist minister of food and supplies, M. Peschehonov (appointed May 19), undertook to supply by government enterprise any articles of food or clothing of which there might be a shortage. The trade unions, moreover, were permitted to exact from employers large wage increases and other concessions; in Petrograd, 140 factories were placed on a six-hour-day basis, June 6.—The marked **socialistic trend** of the Revolution, the popular demand for peace without annexations or indemnities, and the agitation for democratization of the army were at first strenuously combated by the more conservative members of the ministry, but against the enormous momentum of the revolutionary masses the moderates battled in vain. The conservative Octobrist M. Gutchkov and the annexa-

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tionist Constitutional Democrat Professor Milyukov were forced ou of the cabinet on May 14 and 17, respectively, and four Socialists namely, MM. Skobelev (labor), Pereveiezev (justice), Pieschehono (food), and Tseretelli (posts), were brought in; the Socialist Keren sky, whose vivid personality was rapidly gaining a dominant influenc in the government, took over the portfolio of war, May 17. In Jun two very important popular congresses, the national congress of th Councils of Workingmen's and Soldiers' Delegates and the Peasant Congress, although they repudiated the extreme pacifist demand fc an immediate separate peace, placed the weight of the nation behin the champions of radical social and democratic reforms. The Co gress of Workingmen's and Soldiers' Delegates, of which a Socialis M. N. C. Tcheidze, was president, decreed the abolition of the u democratic Duma and the Council of the Empire, resolved to gra complete self-government to all subject nationalities, and sent out call for an international Socialist peace conference. With this powe ful backing, the Socialists in the cabinet finally ousted the conserv tive Prince Lvov from the premiership, July 20, and installed t Socialist Kerensky in his place. The **new premier** speedily became dictator, July 23, by vote of the two popular congresses; for, t very existence of the revolutionary government was threatened extreme reactionaries on the one hand and by extremist radicals (t so-called Maximalists) and pacifists on the other hand, by mutiny the army and navy, by secessionist movements in Finland, in t Ukraine, and in Kronstadt. Sternly resolved, if necessary, to "be her (Russia) into unity with blood and iron," Dictator Kerensky p down disorder with a firm hand, summoned an "Extraordinary N tional Council" to meet at Moscow, formed a provisional coaliti cabinet, and called the ablest of the Russian generals into consul tion.—An **American mission** which visited Russia in June, under t leadership of Mr. Elihu Root, undertook to interpret the Americ ideal of democracy to the Russians, for their benefit, and at the sa time to promote American economic interests in Russia; Americ experts rendered notable service in reorganizing the railway syste and immense quantities of railway material were ordered from Am ican manufacturers.

ITALY AND THE HOLY SEE.—The coalition cabinet which h been formed in June 1916 by the aged statesman Signor Boselli, clared war against Germany, infused new life into the conduct military operations, launched a scheme of shipping subsidies, vig ously grappled with the food problem, fearlessly imposed heavy ta on war profits, and successfully launched a fourth war loan; in sh the ministry gave most satisfactory proof of its energy. The pr cipal opposition to the government came from the group of forty more intransigeant **socialists** and pacifists in the Chamber of De

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ies and, outside of parliament, from discontented workingmen. In parliament, the socialists repeatedly assailed the ministry, at times in he name of peace, at other times in behalf of the workingman's eco- nomic welfare, but always unsuccessfully.—The **cabinet crisis** in June vas due not to pacifist opposition, but rather to internal dissensions vithin the ministry. The one Republican (Comandini) and the two Reformist Socialist members (Bissolati and Bonomi) of the cabinet, ever in thorough sympathy with their colleagues, found fault with he *personnel* of the diplomatic mission which Italy dispatched to merica. They strongly protested, moreover, when Foreign Minister Baron Sonnino, without previously securing the formal approval of ie entire cabinet, authorized a manifesto proclaiming an Italian pro- ctorate over the principality of Albania (q. v.). Baron Sonnino, owever, was more powerful than his critics, and presently it was re- arked that in a reorganization of the cabinet, the Republican and eformist ministers dropped out. On June 17 General Gaetano Giar- no was appointed minister of war; Rear Admiral Arturo Triangi, inister of marine; General Dal'Olio, minister of munitions; Signor rlotta, minister without portfolio; Signor Bianchi, minister of marine ansport. — While deploring the war and exhorting all Catholics to ay for its termination, Pope Benedict XV continued to maintain e strict neutrality of the **Holy See.**

GERMANY.—The remarkable German **peace maneuver** (for details see ace Suggestions, *supra*, p. 15) launched on December 12, dismally as it led in its ostensible purpose of ending the war, was not wholly ineffective a sedative for German internal complaints. The bitter cry of hunger ong the poorer classes, the disaffection of pacifist-socialists, and the lent agitation of jingoes who demanded ruthless submarine warfare, had ely tried the nerves of Imperial Chancellor von Bethmann-Hollweg. t when his peace offer was spurned by the Entente, and when the Allies claimed their unalterable will to wrest Alsace-Lorraine and Prussian and from the German Empire, the Chancellor's position was immensely proved, for the time being. The Allies' reply gave him both an occasion yielding to the demand for ruthless submarine warfare (see Maritime rfare, *supra*, p. 11) and a crushing retort with which to answer the ialists' plea for peace. He still suffered some annoyance, however, from excessively patriotic Conservatives and National Liberals, who insisted n wholesale annexations, and from the socialists and moderates, who anded peace by compromise or by renunciation of conquests. More icularly after the Russian Revolution and the intervention of the United es, the pacifist agitation grew clamorous. With a petulance that be- ed his own anxiety, the chancellor on May 15 harshly reprimanded parties and refused to commit himself to either annexation or renun- on. In passing, it should be noted that German foreign policy was inally under the guidance of Herr von Jagow's ingenious under-secre-

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tary, Herr Zimmermann, who had superseded his chief as imperial secretar for foreign affairs, November 24.—In the meantime, **military appointment** of political importance had been made. On August 29, 1916, General vo Falkenhayn was superseded by Field Marshal von Hindenburg as chi of the general staff, and the latter's "right hand man," General von Luc endorff, was appointed quartermaster general. To von Hindenbur "idol of the people," jingoes and moderates alternately appealed for pr nouncements on peace terms, on U-boat ruthlessness, and what not. H support ensured the enactment of a "man-power" bill by the Reichsta by a vote of 235 to 19, on December 2, rendering all males between t ages of 18 and 60 years liable to either military or industrial service. T potency of Hindenburg's name abated the protests in Germany when Belgi and French civilians were forcibly taken from their homes and compell to labor in German industries. It may be added that, beside von Hinde burg's giant figure, the new war minister, Lieutenant-General von Ste (appointed October 30, 1916), was dwarfed into insignificance.—von Hi denburg, according to general belief, lent silent but powerful support to t Junker element in its advocacy of annexations and in its opposition electoral reform. But even von Hindenburg's influence faltered wh news of the Russian Revolution thrilled Germany with new democratic piration. Secretly apprised of the ominous events in Russia, the chancel speaking before the Prussian Diet on March 14 made haste to prom **democratic reforms** in Germany. A socialist, Herr Georg Ledebo boldly declared before the Reichstag, "We regard a republic as a comi inevitable development in Germany." A National Liberal resolution p viding for a committee of 28 to consider constitutional reforms was pas by 227 to 33 votes in the Reichstag, March 30. So stormy was the bate on March 31, that it was necessary to prorogue the Reichstag to A 24. The emperor himself intervened in the discussion by publishin manifesto, April 7, in which he seemed to promise "a far-reaching cha of constitution," but insisted on postponing such change until after war. The Reichstag committee, nevertheless, continued to discuss p positions for the enlargement of the Reichstag's powers and the reform the representation. The work of the committee, however, was still inc plete, and no constitutional amendment had been adopted, when Reichstag was adjourned on May 17 for seven weeks.—While const tional revision remained a matter of discussion, two liberal reforms w definitely decided upon. The Bundesrat formally voted to repeal famous "Jesuit Act," which, since the days of the *Kulturkampf*, prevented the existence of the Society of Jesus as a legally organized b in Germany; the Reichstag had already voted to repeal this law in 1 and again in 1899. Also the law forbidding the use of any language o than German in public meetings, a measure chiefly directed against a tion among the Poles, had been condemned by the Reichstag in 1908 was now repealed, thanks to the Bundesrat's change of heart.—Earl

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uly an acute **political crisis** developed, when the powerful Catholic party, hich as the largest united group in the Reichstag held the balance of ower between the jingoes on the one hand and the Social Democrats on ıe other, cast its weight on the side of the Social Democrats and Progres- ves in favor of democratic reform and peace without conquest. Herr lathias Erzberger, one of the foremost Centrist orators, delivered a sen- ıtional speech on July 6, in the main committee of the Reichstag, attack- g the pan-German and anti-democratic factions. During the next few ıys the most startling rumors occupied the press, while the emperor and e crown prince, the latter an old-time foe of von Bethmann-Hollweg, cretly conferred with party leaders and with the crown council of Prus- ın and imperial ministers and military authorities. The ultimate deci- ɔn apparently was for a few concessions but not for surrender to the mocratic opposition. An imperial rescript, July 11, promised a reform of e three-class electoral system in Prussia so that the next elections would on the basis of an equal suffrage. Maximilian Harden, fearless critic the government, was silenced and his journal suppressed. Dr. von thmann-Hollweg was superseded as imperial chancellor, July 14, by . Georg Michaelis, Prussian food controller and under-secretary of ance, whose career had been that of an inconspicuous bureaucrat. ıe threat of opposition by a majority in the Reichstag had furnished ɛ occasion, if not the principal cause, of von Bethmann-Hollweg's ignation; it remained to be seen whether his successor, Germany's ɜt bourgeois chancellor, would be more responsive to the will of the ion's representatives. His first speech, awaited with breathless ciety, announced an important concession to the Reichstag. He uld call to "the leading executive positions" men "who possess confidence of the great parties in the popular representative ly." At the same time, he announced that "the constitutional ht of the imperial administration to conduct our policy must not be rowed." On the subject of peace, the new chancellor followed his decessor's policy of uttering non-committal ambiguities. Germany ıld not continue the war "a day longer" merely for conquests, it could obtain an honorable peace;" peace must be concluded on give-and-take" basis; Germany's territory must be inviolable; many "cannot again offer peace." He was even prepared to ɛpt, as he interpreted it, the peace resolution introduced by the ıocratic *bloc* (Center, Progressives or Radicals, and Socialists) in Reichstag and passed by 214 to 116 votes. The resolution repu- ed "forced annexations of territory and political, economic, and ncial violations" (probably a faulty translation), but declared many's determination to fight "as one man" against the Entente's ats of conquest. After adopting the peace resolution, the Reichs- quietly approved a war credit of 15,000,000,000 marks, only the dent Socialists opposing the vote, and on July 20 adjourned to

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September 26. The emperor, to make sure of the Reichstag's loyalty tactfully tendered a reception to the Reichstag leaders, including evei the Socialist, Alsatian, and Polish leaders, at the official residence o the secretary of the interior.—The **food shortage** caused grave concer during the winter and spring. By introducing meat cards and estab lishing public soup kitchens in the cities, in October, Food Controlle von Batocki made the scanty meat supply last through the winte with such success that in March he could increase the meat ratio The bread ration, however, had to be cut down, since the grain regu lations had been unpatriotically disobeyed by farmers who hoarde their stocks and by speculators who conducted illegal traffic in brea cards. Riots occurred in Magdeburg, Hamburg, and other cities. Th discontent of the laboring classes was so acute that von Hindenbur found it necessary to issue a personal appeal to the loyalty of the mun tions workers. Food Controller von Batocki declared the seizure of a foodstuffs an imperative necessity, and admitted that the food questic had caused friction between South Germany and Prussia. Perhaps was in order to mollify South Germany that the chancellor, accordi to unofficial reports, agreed in May to the partition of Alsace-Lorrair after the war, between Prussia and Bavaria. In July, Chancell Michaelis admitted that the shortage of food had never been wors but he hoped for relief.—On May 19 the grand dukes of **Mecklenbu** Strelitz and Mecklenburg-Schwerin announced their decision to gra constitutional reforms; the two Mecklenburgs, with their joint Lan tag consisting of burgomasters and feudal landlords (owners *Rittergüter*) were regarded as the most undemocratic states in G many.—In **Prussia** both houses of the Landtag passed a bill, in F ruary, conferring the municipal suffrage upon all soldiers at the fro A manifesto favoring general, direct, secret and equal franchise, a ministerial responsibility was issued on June 30 by a group of leadi conservative politicians and publicists, including Prof. Hans Delbrü Prof. Adolf von Harnack and Dr. Paul Rohrbach. Unwilling to quite to that length, the emperor on April 7 vaguely promised refor on July 11 he further instructed the ministry to submit a bill, bef the next elections, revising the Prussian electoral law "on the ba of equal franchise."—In the Saxon Diet, July 4, a Socialist resolut was adopted, instructing the government of **Saxony** to demand der cratic reforms in the empire.

AUSTRIA-HUNGARY.—The death of the venerable Emperor-K **Francis Joseph I,** long expected by the outside world, and appare lamented most sincerely by his people, occurred on November 22. was succeeded by his 29-year-old grand-nephew, the Archduke Cha Francis, who forthwith ascended the imperial throne of Austria as **Charl** and was later (December 30) crowned as Charles IV of Hungary. accession of Charles I was shortly followed by notable changes in the l

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ommand of the army as well as in the Austrian and joint ministries. Hardly a week after the death of Francis Joseph, Charles I appointed Archduke Eugene to succeed Archduke Frederick as commander-in-chief f the Austro-Hungarian forces. The chief of the general staff, Field Marshal Conrad von Hoetzendorf, followed Archduke Frederick into retirement early in March, and was superseded by Field Marshal Arz von traussenburg. In the **joint ministry** Charles I appointed Count Czernin on Chudenitz, a Bohemian nobleman of German descent, to replace Baron urian, a Hungarian. The **Austrian cabinet** was already involved in a risis. Count Karl Stuergkh, Austrian premier since 1911, had been assasnated on October 21 by a socialist editor, Dr. Friedrich Adler, in conseuence, said the assassin, of the government's refusal to convoke the ustrian Reichsrat. Stuergkh's successor, Dr. Ernst von Koerber, speedily emonstrated his inability or unwillingness to satisfy the demand that parament should be given an opportunity to discuss the war. After a few tile efforts to maintain his position, Dr. von Koerber handed in his resigation, December 13; his cabinet had lasted less than seven weeks. Emeror Charles thereupon selected Dr. Alexander Spitzmueller to construct a ew cabinet; when Dr. Spitzmueller failed, December 20, Count Clamartinic, former minister of agriculture, undertook the task. For six onths this Bohemian nobleman conducted the government of Austria. he most notable event of his administration was the convocation of the ustrian parliament or Reichsrat on May 31, for the first time since the ginning of the war. The speech from the throne on this occasion was teresting because it contained, besides general patriotic remarks and an fer of separate peace with Russia, a clear-cut promise that the constitunal rights of the parliament and the spirit of "true democracy" would inviolably respected. It was not long, however, before a crisis arose parliament. Against German deputies, who had recently organized on acial basis, the Slavic fractions were arrayed; the Polish group, on whose pport the Government had counted, sullenly voted against the budget, enly manifesting resentment at the emperor's refusal to incorporate licia into the new Poland (see Peace Suggestions, *supra*, p. 15). The echs, too, became intractable. Rumors were current that Czech regints had deserted to Russia. Unable to conciliate the Slavic group, the binet resigned on June 19. A transitional ministry was formed five days er by Dr. von Seydler, while the emperor tactfully endeavored to bring out an *entente cordiale* among the various discordant nationalities, in the pe of constructing a stable cabinet representative of all parties. Amsty was granted to political offenders.—In **Hungary**, meanwhile, the ung monarch had encountered problems almost as perplexing as in stria. Count Stephan Tisza, the premier, who admired and strove to ulate Bismarck, had stirred up a hornet's nest of opposition. His abd scheme of "reform," brought forward in April, pretended to commise with the demand for democracy by extending the franchise to

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soldiers who had won decorations for bravery and to peasants owning eigh yoke (11⅓ acres) of land. The protests of the opposition apparentl were heard by the emperor, and Count Tisza was dismissed, May 23. H had been premier almost exactly four years. His successor, Count Morit Esterhazy, who took the oath of office about June 10, was a Magya nobleman of Liberal persuasion. The Liberal leader Count Albert Ap ponyi was also included in the new cabinet. In sum, Count Tisza's over throw was at the same time a victory for the democrats and a reverse fo German influence in Hungary. In January a treaty was signed betwee Austria and Hungary, for a period of twenty years, reducing Hungary' share in the burden of joint Austro-Hungarian expenses from 36 to 34 pe cent, admitting Hungarian securities to the Vienna stock exchange, an modifying customs duties in favor of the Hungarian landed interests.

TURKEY.—According to a note received in Washington on Jan uary 1, the Turkish Government formally denounced the **treatie** of Paris (1856) and Berlin (1878) and declared the Ottoman Empir no longer under the tutelage of the Great Powers. Turkey also abol ished the special status of the Liva of Lebanon. In January, German signified her approval of this step by negotiating treaties with Turke regarding consular service, legal protection, rights of residence, an similar matters.—A Reuter despatch under date of January 30 an nounced that the Turkish parliament had voted to adopt the Gre gorian calendar (such a vote had already been reported in Februar 1916, see last Record, p. 60). In February a **cabinet** crisis resulte in the appointment of Talaat Bey as grand vizier and minister c finance, with Djemal Pasha as minister of marine; Enver Pasha, th remarkable minister of war, retained his all-important post.—Germa **loans** to Turkey in three years of the war amounted to over $600,00 000.—See also Turkey in Asia, *infra*, p. 78.

GREECE.—*By reason of his obstinate determination to preserv* Greek neutrality in the Great War, King Constantine I finally came t grief. Cabinet after cabinet strove in vain to ward off the impendin blow. Premier Alexander **Zaimis**, who had come into power in Jur 1916, after the Allies forced the Skouloudis cabinet out of office, r signed on September 11, a few days after surrendering the Gree posts and telegraphs to Anglo-French military authorities. Whi Constantine was searching for a new premier, the Bulgars occupied th Greek seaport of Kavala. On September 16, Nikolas **Kalogeropoul** was sworn in as premier with a cabinet of "puppets and intriguers (to quote the London *Times*); but failing to win the favor of th Entente Powers he despondently resigned on October 4, after le than three weeks in office.—Meanwhile ex-Premier Eleutherios Ven zelos and Admiral Condouriotis had fled to Crete, September 25, i stigated an **insurrectionary movement**, and established a "provision government," which soon extended its control over Crete, Macedoni

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part of Epirus, and certain of the Ægean Islands. The provisional government was recognized by the Allies on October 16, and in return joined them in the war against Bulgaria and Turkey, November 25.— While the Venizelist Rebellion was spreading, Constantine's new premier, Professor Spyridon **Lambros**, who had been installed on October 10 with a colorless nonpartisan cabinet, helplessly stood by while the French admiral D'Artige du Fournet seized the Greek navy, landed French and Italian troops at the Piræus, destroyed the Greek coastal forts, assumed command of the Greek police, prohibited the Athenians from carrying arms, established a censorship over all Greek newspapers, occupied several public buildings in Athens, and ordered the German, Austro-Hungarian, Bulgarian, and Turkish ministers to quit Greek soil. But even the submissive Professor Lambros turned at bay when the admiral demanded the arms, artillery and munitions of the Greek army; there ensued a bombardment of Athens by French warships and a battle between French and Greek troops, December 1-2; and in the end, Premier Lambros yielded. On December 8 Greece was blockaded. In January Premier Lambros humiliated himself by bowing to new demands. During the spring, the blockade caused acute suffering from starvation and lack of coal. At length, in May, Professor Lambros resigned his hopeless task, and M. Alexander **Zaimis** returned to the premiership in time to arrange the **abdication** of his royal master. For, M. Jonnart, a French senator acting as high commissioner for the Allies, with authority to use military force if necessary, on June 11 quietly informed M. Zaimis that Constantine's reign was ended. Accordingly, on June 12, Constantine I, King of the Hellenes, abdicated the throne, taking the pro-German crown prince along with him to Switzerland and leaving the crown to his second son, Prince Alexander. Many of the most prominent Greek officers and statesmen, including ex-Premier Gounaris, were deported; others, notably ex-Premiers Dragoumis, Skouloudis, and Lambros, were placed under surveillance in the Peloponnesus. M. Jonnart proceeded to land an awe-inspiring force of troops at the Piræus, for reasons of health, he explained; then he advised M. Zaimis to resign the premiership, and invited M. Venizelos to Athens. On June 27 M. **Venizelos** supplanted M. Zaimis as premier. One of his first official acts was the severance of relations with the Central Powers, June 29. No declaration of war was issued, for M. Venizelos considered that ever since the provisional government had entered the war Greece had been a belligerent. The parliament that had been dissolved by King Constantine in 1915 was reassembled in Athens at the close of July. — A conference of the Entente Allies in Paris, July 25-26, decided "as soon as possible" to evacuate Thessaly and Epirus and "old Greece," with the exception of the triangle formed by the Santi Quaranta road and the Epirus frontier.

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BALKAN AND DANUBIAN STATES. — In March **Albania** was taken under Austro-Hungarian protection as an autonomous state, the northern half of the country being already in Austrian occupation; subsequently Italy, whose troops occupied the southern half, declared Albania to be an autonomous protectorate of Italy, June 3. Italy intended to annex Avlona, explained Baron Sonnino on June 19, but the remainder of Albania would be free to choose its own form of government, under Italian protection, after the war. In the region occupied by the Italians, both the Italian and the Albanian languages were taught. At Koritza a republican government was set up.—A former foreign minister of **Bulgaria**, Dr. N. Ghenadiev, was convicted of treason and sentenced to penal servitude for ten years.—An Amsterdam dispatch quoting the *Neues Wiener Tageblatt* announced the appointment of ex-Premier Count Clam-Martinic (see Austria-Hungary, *supra*, p. 71) as military governor of **Montenegro**. In exile, the Radovitch cabinet was superseded in January by a new ministry under General Matanovitch. — When **Rumania** entered the war (see New Belligerents, *supra*, p. 13) in August, the premier's brother, M. Vintilla Bratiano, was made minister of war, and General Paraskivesco director of munitions. A war credit of $125,000,000 was voted by parliament. In December, after the fall of Bucharest (see *supra*, p. 6), the government was removed to Jassy and the cabinet was reconstructed, the Bratiano brothers retaining their offices, and the ardent interventionist M. Take Jonesco being included without portfolio. In May the government promised to confer equal political rights upon the Jews.—The parliament (the Skupshtina) of **Serbia** held a brief session in September on the Greek island of Corfu. The cabinet was reorganized on June 26, M. Pashitch remaining premier. In July arrangements were made for removal of the Serbian government to Saloniki.

IBERIAN STATES.—Grave unrest was caused in **Spain** by three influences: first, very serious discontent among the laboring classes was caused by high prices and industrial depression; second, the army officers complained of the unfair promotion system and demanded army reform; third, pro-German Conservatives and anti-German Liberals excitedly championed opposite courses of action in the war. Unable to cope with these difficulties, the pro-Entente Liberal premier, Count de Romanones, was obliged to resign in April, and subsequently to surrender the leadership of the Liberal party. He was succeeded (April 19) by a moderate Liberal, Marquis Manuel Garcia Prieto, who in turn gave way, less than two months later (June 9), to a Liberal Conservative, Señor Eduardo Dato.—The **Portuguese** cabinet of Senhor Antonio Almeida resigned on April 21 after an adverse vote in the lower house of the Cortes, on the question of establishing a national economic council. A new cabinet was formed

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on April 25 by Dr. Affonso Costa, the Democratic leader whose name has been mentioned frequently in these pages. Portuguese troops were reported fighting on the Franco-Belgian front. (See European and Asiatic Relations, *supra*, p. 27.)

SCANDINAVIAN KINGDOMS.—The neutrality and solidarity of the Scandinavian kingdoms were affirmed by joint conferences at Stockholm in February and in May.—The prime minister of **Denmark** experienced the utmost difficulty in persuading the Rigsdag to ratify the treaty whereby the Danish West Indies were to be sold to the United States (see Dependencies, *supra*, p. 46). The debate was prolonged until sheer weariness compelled both houses of the Rigsdag to acquiesce, September 30, in the submission of the treaty to a plebiscite. At the same time, a Socialist (T. H. Stauning), a member of the Left (ex-Premier J. Christensen), and a conservative (Rottboell) were taken into the cabinet. The plebiscite, held on December 14, approved the treaty by 283,000 to 157,000. Formal ratification was voted by the Rigsdag the following week.—The Storting of **Norway** in June 1916 passed an industrial arbitration law.—The prime minister of **Sweden**, M. Hammarskjold, fell from power in March, when the Riksdag refused to appropriate 30,000,000 kroner ($8,400,000) for the preservation of Sweden's imperiled neutrality. The chairman of the Riksdag budget committee, M. Carl Johan Gustav Swartz, formed a Conservative cabinet, including ex-Premier Admiral S. A. Lindman as foreign minister.

OTHER EUROPEAN STATES.—The German military governor of **Belgium** issued a decree on October 3 compelling unemployed Belgians to accept work even when it might be of indirect military advantage to Germany. Even more objectionable was the forcible deportation of thousands of Belgian civilians for industrial employment in Germany. In reply to protests, the German government officially stated that of the 1,200,000 men and women formerly employed in Belgian industries, more than 500,000 were now wholly unemployed and 150,000 employed only on part time, so that more than half of Belgium's industrial classes or a fifth of the entire population of the kingdom was dependent on charity and in grave danger of being demoralized by idleness. The Belgian government itself estimated that between 300,000 and 400,000 men were idle. Prominent Belgians, however, pointed out that employed as well as unemployed citizens were deported. In May, Baron von Falkenhausen, who succeeded von Bissing as governor-general, imposed a supplementary war contribution of ten million francs, in addition to the existing tax of fifty millions a month. The Flemish and Walloon sections of Belgium were placed under separate administration.—On November 15 the parliament of the **Netherlands** passed a resolution favoring universal manhood suffrage (at that time only two out of three men over 25

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years of age enjoyed the right to vote) and larger political rights for women. To become effective this constitutional amendment must again be passed by a two-thirds vote after a general election.—On December 15 Vice-President Edmund Schutlhess was elected president of the **Swiss Confederation** for the year 1917 and M. Galonder was chosen vice-president of the Federal Council. A member of the Federal Council, M. Hoffmann, tendered his resignation in June as a result of the unpleasant notoriety he had gained by his futile efforts to promote peace negotiations between Germany and Russia.

VII. ASIA AND AFRICA.

CHINA. — The perturbations of the Chinese republic were by no means ended with the death of Yuan Shih-kai (see last Record, p. 69). To be sure, Yuan's successor in the presidency, General Li Yuan-hung, a liberal from middle China, proved his sincere republicanism by reopening, on August 1, the republican parliament which Yuan had arbitrarily suspended in 1914, and by endeavoring to harmonize the discordant factions by forming a **coalition cabinet.** Against President Li, however, provincial military governors and generals, particularly in the northern provinces, were busily conspiring to revive the defunct Manchu empire. In the face of this menace the republicans themselves were disunited. The Conservative northern or militarist party, recruited chiefly from the old governing classes in North China, and led by Premier Tuan Chi-jui, was determined to dominate the republic in defiance of parliamentary Radicals. On the other hand, the Radical republicans (organized in the party called Kwo-min-tang), representing the "solid South" of Chinese democracy, uncompromisingly insisted that they should exercise the control of the government. Their candidate for the premiership, Tang Shao-yi, preferred to resign the portfolio of foreign affairs, which had been assigned to him in the coalition cabinet, rather than to serve in a subordinate capacity under his rival, Premier Tuan Chi-jui. Moreover, the Radical majority in parliament so stubbornly opposed Tuan's attempts to replace republicans by Conservatives in the cabinet, that vexatious conflicts arose between parliament and premier, and seventeen military governors telegraphed to President Li Yuan-hung threatening insurrection if the premier were not given full authority over his own cabinet, without interference from parliament.—The feud was further embittered by disputes over **foreign policy.** Foreign Minister Wu Ting-fang, appointed in November, was accused of weakness in his dealings with Japan (see International Relations, *supra*, p. 27), as well as in his futile efforts to obtain satisfactory amends for the massacre of several hundred Chinese by Russian Cossacks at Kaahu (Sinkiang) and for the seizure by French troops of a square mile of Chinese territory adjoining the French concession at Tientsin. Furthermore,

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n the negotiation of foreign loans, a clique of pro-Japanese Conservatives favored Japan, whereas the Radicals inclined toward America and were gratified by the award of a very important contract (to build 700 miles of railway, with an option on 1500 miles in addition, at $50,000 a mile, and to rebuild the Grand Canal) to the American International Corporation. Most embarrassing of all was the question of **ntervention in the war.** When the German government inaugurated its ruthless submarine campaign and began to sink liners bearing Chinese coolies to France, Premier Tuan Chi-jui and his cabinet proposed action. The president opposed it. The premier resigned. But three days later President Li Yuan-hung yielded, and Tuan, returning to power, severed diplomatic relations with Germany on March 14. After taking this step, the Chinese government formally requested the Entente Powers and the United States to sanction (a) the suspension of the Boxer indemnity payments, (b) an increase in import duties above the stipulated five per cent *ad valorem*, and (c) the posting of Chinese troops at Tientsin, along the Tientsin-Peking Railway, and in the legation quarter. In May, Premier Tuan Chi-jui asked parliament to authorize a declaration of war against Germany. The parliamentary majority, however, obstinately refused to precipitate China into the Great War as long as Tuan Chi-jui remained premier, for it was feared that he would use the war simply as an excuse for suspending constitutional liberties and intrenching the militarist Conservative party in power. President Li Yuan-hung, siding with parliament, openly defied the northern military party by dismissing Tuan from the premiership, May 23. Here was the opportunity for which the extreme reactionaries and monarchists had long been sighing. With the aid of other conspirators, the powerful military governor of Anhwei province, General Chang Hsun, effected a reactionary *coup d'état*. On June 2 he set up a provisional government at Tientsin and demanded that parliament be dismissed. When President Li Yuan-hung refused, General Chang sent his troops to occupy Peking and restored the boy emperor H'suan Tung, who had been deposed in 1912. The edict announcing the **restoration of the Manchu Empire,** July 3, abrogated most of the reforms accomplished by the revolution and conferred a dukedom on Li Yuan-hung in lieu of the presidency. General Chang Hsun as "grand secretary" became head of the imperial ministry. His triumph was short-lived. Loyal republican armies, rallying to the standard raised by General Feng Kwo-Chang (who had been elected vice-president in October and now became president, July 6) and General Tuan Chi-jui (again premier) marched against Peking, rounded up the remnants of Chang's army in the Temple of Heaven, and overturned the empire, July 8-12. The republican government had hardly been restored in Peking before mutiny broke out in the navy.

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JAPAN.—The resignation of Marquis Shigenobu Okuma as prim minister, October 3, was in reality due to the dissatisfaction of th anti-democratic elements in the House of Peers, although his ad vanced age (78) was the ostensible reason. As his successor, the re tiring premier recommended his loyal supporter Viscount Takaak Kato, a spokesman of the Liberal majority *bloc* in the House of Rep resentatives; but the conservative Elder Statesmen, Prince Yamagata Marquis Matsukata, Prince Oyama, and Marquis Saionji, persuade the emperor to appoint a trustworthy conservative, Lieutenant Gen eral Count Seiki Terauchi, and scoffed at the ideas of ministerial re sponsibility and party government. The fact that Count Terauchi hac been remarkably energetic as minister of war and subsequently a the first governor-general of Korea might have afforded a basis fo the conclusion that his appointment to the premiership was a triumpl for militaristic and imperialistic tendencies in Japan. However, th new premier was at great pains to explain that he did not intend t "wave the sword," and that he was a loyal friend of the Allies an the United States. The majority in the House of Representative was so loud in its denunciation of the new cabinet that Count Terau chi abruptly dissolved parliament in January. Elections for the new House of Representatives were held on April 20. So indifferent wa the country to the constitutional issue, or it may be so effective wa the governmental influence brought to bear on the elections, that th constitutionalist opposition *bloc* returned crestfallen with only 16 seats, while supporters of Terauchi numbered 217. Prince Hirohito, elder son of Emperor Yoshihito, was ceremonially installed as crown prince and heir to the throne and invested with the sacred sword, on November 3. (See also European and Asiatic Relations, p. 27; China, *supra*, p. 76.)

TURKEY IN ASIA. — The rebellious Grand Shereef of Mecca, Hussein Ben Ali, who had revolted in June against Turkish rule, was reported in January to have established an independent Arab "**Kingdom of the Hedjaz**" (a region about 100,000 square miles in area on the eastern coast of the Red Sea).—General Maude, commander of the British forces invading **Mesopotamia**, issued an interesting manifesto "to the people of Bagdad Vilayet," exhorting the Arabs to revolt against Turkey and to participate in their own government in collaboration with British officials, "so that you may be united with your kinsmen in north, east, south, and west in realizing the aspirations of your race."

OTHER ASIATIC AND AFRICAN STATES.—In September Lidj Jeassu, the emperor of **Abyssinia**, was deposed by his aunt Ouizero Zeoditu, the daughter of the late Emperor Menelik. The forces remaining loyal to Lidj Jeassu were utterly routed in October by Italian and Abyssinian troops, and the father of Lidj Jeassu, Ras

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Mikhael, was captured. The new government was promptly recognized by the Allies. Lidj Jeassu himself took refuge in the fortified town of Magdala.—A native revolt in the **Dutch East Indies** attained so formidable proportions in the fall, and was with difficulty suppressed.—In **Persia** a Moderate cabinet, favorable to the Allies, was formed in August by Vossuk-el-Dowleh (see also Turkish Fronts, *supra*, p. 8). — On July 22 the absolute monarchy of **Siam** declared war against Germany and Austria-Hungary, in defense of "the sanctity of international rights."

EDWARD M. SAIT.
PARKER THOMAS MOON.

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